

**§ 5131. Organization**

- (a) The United States Mint has—
  - (1) a United States mint at Philadelphia, Pennsylvania.
  - (2) a United States mint at Denver, Colorado.
  - (3) a United States mint at West Point, New York.
  - (4) a United States mint at San Francisco, California.

(b) The Secretary of the Treasury shall carry out duties and powers related to refining and assaying bullion, minting coins, striking medals, and numismatic items at the mints. However, until the Secretary decides that the mints are adequate for minting and striking an ample supply of coins and medals, the Secretary may use any facility of the United States Mint to mint coins and strike medals and to store coins and medals.

(c) Laws on mints, officers and employees of mints, and punishment of offenses related to mints and minting coins apply to assay offices, as applicable.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 988; Pub. L. 100-274, §2(a)-(c)(2), Mar. 31, 1988, 102 Stat. 48; Pub. L. 102-390, title II, §§224, 225(b)(3), (4), Oct. 6, 1992, 106 Stat. 1629; Pub. L. 104-208, div. A, title I, §101(f) [title V, §§503, 522], Sept. 30, 1996, 110 Stat. 3009-314, 3009-344, 3009-347; Pub. L. 104-329, title III, §304, Oct. 20, 1996, 110 Stat. 4015.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5131(a) .....	31:251(1st sentence words after 1st comma). 31:261.	R.S. §343(1st sentence words after 1st comma).  R.S. §3495; restated July 11, 1962, Pub. L. 87-534, §1, 76 Stat. 155.
5131(b) .....	31:278. 31:283(1st sentence).  31:324f.  31:361(1st sentence words before 1st comma).	R.S. §3553. R.S. §3558(1st sentence); July 11, 1962, Pub. L. 87-534, §2, 76 Stat. 155; restated July 23, 1965, Pub. L. 89-81, §201, 79 Stat. 256.  Oct. 18, 1973, Pub. L. 93-127, §3, 87 Stat. 456.  June 19, 1878, ch. 329, §1(1st sentence on p. 191), 20 Stat. 191.  July 7, 1898, ch. 571(7th par. 1st sentence words before 1st comma under heading "Mints and Assay Offices"), 30 Stat. 661.
5131(c) .....	31:263.  31:279.  31:281.	R.S. §3496; Aug. 23, 1912, ch. 350, §1(last par. words before 7th comma under heading "Assay Office at Salt Lake City, Utah"), 37 Stat. 384.  R.S. §3554; Aug. 23, 1912, ch. 350, §1(last par. words before 7th comma under heading "Assay Office at Salt Lake City, Utah"), 37 Stat. 384.  R.S. §3555; Aug. 23, 1912, ch. 350, §1(last par. words before 7th comma under heading "Assay Office at Salt Lake City, Utah"), 37 Stat. 384; June 6, 1972, Pub. L. 92-310, §231(g), 86 Stat. 210.
5131(d) .....	31:287.	R.S. §3562.
5131(e) .....	31:292.	Aug. 20, 1963, Pub. L. 88-102, §2, 77 Stat. 129.

In subsection (a), the words "The Bureau of the Mint has" are substituted for "embracing in its organization and under its control all mints . . . and all assay offices" in 31:251(1st sentence words after 1st comma) because of the restatement and to eliminate unnecessary words. The words "for the manufacture of coin . . . for

the stamping of bars, which have been, or which may be, authorized by law" are omitted as superseded by the source provisions restated in subsection (b).

In subsection (b), the words "The Secretary of the Treasury shall carry out duties and powers" are added because of the source provisions restated in section 321 of the revised title. The words "related to refining and assaying bullion, minting coins, striking medals, and numismatic items at the mints and assay offices" are substituted for 31:278(1st sentence words before comma), 283(1st-26th words), and 361(1st sentence words before 1st comma) to eliminate unnecessary words and for consistency with the source provisions restated in sections 511(a)(1)-(3) and 5120(a) of the revised title. The words "and not coin" in 31:278 are omitted as unnecessary because of the restatement. The words "and no metals shall be purchased for minor coinage" are omitted as superseded by section 511(b) of the revised title. The text of 31:278(2d, last sentences) is omitted as obsolete because the Secretary of the Treasury has authority to mint coins containing silver only under section 5112(e) of the revised title and the Secretary holds sufficient silver to mint those coins. See Sen. Rept. No. 91-1084 (1970). The words "except that until the Secretary of the Treasury determines that the mints of the United States are adequate for the production of ample supplies of coins, its facilities may be used for the production of coins" in 31:283(1st sentence) are omitted as superseded by the source provisions restated in the subsection. The words "striking" and "strike" are added for consistency with section 5111 of the revised title.

In subsection (c), the text of 31:281(words before semicolon) is omitted as superseded by the source provisions restated in section 321 of the revised title, and 31:281(words after semicolon) is omitted as superseded by the source provisions restated in subsection (d) and by 5:ch. 35, subch. II.

In subsection (e), the words "the mint at Philadelphia" are substituted for "any building constructed pursuant to this subchapter" because that is the building that was constructed under the subchapter.

AMENDMENTS

1996—Subsecs. (c), (d). Pub. L. 104-208, §101(f) [title V, §§503, 522], and Pub. L. 104-329, amended section identically, redesignating subsec. (d) as (c) and striking out former subsec. (c) which read as follows: "Each mint has a superintendent and an assayer appointed by the President, by and with the advice and consent of the Senate. The mint at Philadelphia has an engraver appointed by the President, by and with the advice and consent of the Senate."

1992—Subsec. (a). Pub. L. 102-390, §225(b)(3), substituted "United States Mint" for "Bureau of the Mint" in introductory provisions.

Subsec. (b). Pub. L. 102-390, §225(b)(4), substituted "United States Mint" for "Bureau".

Subsec. (e). Pub. L. 102-390, §224, struck out subsec. (e) which read as follows: "The Secretary shall operate, maintain, and have custody of, the mint at Philadelphia. However, the Administrator of General Services shall make repairs and improvements to the mint."

1988—Subsec. (a)(3). Pub. L. 100-274, §2(b), substituted "mint at West Point, New York" for "assay office at New York, New York".

Subsec. (a)(4). Pub. L. 100-274, §2(a), substituted "mint" for "assay office".

Subsec. (b). Pub. L. 100-274, §2(c)(1), struck out "and assay offices, except that only bars may be made at the assay offices" before period at end of first sentence.

Subsec. (c). Pub. L. 100-274, §2(c)(2), substituted "Each mint has" for "Each mint and the assay office at New York have".

AUTHORITY OF SPECIAL POLICE OFFICERS

For authority of special police officers of United States Mint over buildings and land under control and in vicinity of the Mint and to protection in transit of bullion, coins, dies, and other property and assets of

the Mint, see section 101(f) [title V, §517(2), (3)] of Pub. L. 104-208, set out as a note under section 5141 of this title.

**§ 5132. Administrative**

(a)(1) Except as provided in this chapter, the Secretary of the Treasury shall deposit in the Treasury as miscellaneous receipts amounts the Secretary receives from the operations of the United States Mint. Expenditures made from appropriated funds which are subsequently determined to be properly chargeable to the Numismatic Public Enterprise Fund established by section 5134 shall be reimbursed by such Fund to the appropriation. The Secretary shall annually sell to the public, directly and by mail, sets of uncirculated and proof coins minted under paragraphs (1) through (6) of section 5112(a) of this title, and shall solicit such sales through the use of the customer list of the United States Mint. Except with respect to amounts deposited in the Numismatic Public Enterprise Fund in accordance with section 5134, the Secretary may not use amounts the Secretary receives from profits on minting coins or from charges on gold or silver bullion under section 5122 to pay officers and employees.

(2)(A) In addition to the coins described in paragraph (1), the Secretary shall sell annually to the public directly and by mail, sets of proof coins minted under paragraphs (1) through (6) of section 5112(a).

(B) Notwithstanding any other provision of law, for purposes of this paragraph—

(i) the coins described in paragraphs (2) through (4) of section 5112(a) shall be made of an alloy of 90 percent silver and 10 percent copper; and

(ii) all coins minted under this paragraph shall have a mint mark indicating the place of manufacture.

(C) All coins minted under this paragraph shall be considered to be—

(i) numismatic items for purposes of paragraph (1) and section 5111(a)(3); and

(ii) legal tender, as provided in section 5103.

(D) The Secretary shall obtain silver for coins minted under this paragraph by purchase from stockpiles established under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.). At such time as the silver stockpile is depleted, the Secretary shall obtain silver for such coins by purchase of silver mined from natural deposits in the United States or in a territory or possession of the United States not more than 1 year following the month in which the ore from which it is derived was mined. The Secretary shall pay not more than the average world price for such silver. The Secretary may issue such regulations as may be necessary to carry out this subparagraph.

(3) Not more than \$54,208,000 may be appropriated to the Secretary for the fiscal year ending on September 30, 1993, to pay costs of the mints. Not more than \$965,000 of amounts appropriated pursuant to the preceding sentence shall remain available until expended for research and development.

(b) To the extent the Secretary decides is necessary, the Secretary may use amounts received

from depositors for refining bullion and the proceeds from the sale of byproducts (including spent acids from surplus bullion recovered in refining processes) to pay the costs of refining the bullion (including labor, material, waste, and loss on the sale of sweeps). The Secretary may not use amounts appropriated for the mints to pay those costs.

(c) The Secretary shall make an annual report at the end of each fiscal year on the operation of the United States Mint.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 988; Pub. L. 97-452, §1(21), Jan. 12, 1983, 96 Stat. 2477; Pub. L. 98-151, §123, Nov. 14, 1983, 97 Stat. 979; Pub. L. 98-216, §1(7), Feb. 14, 1984, 98 Stat. 4; Pub. L. 99-61, title II, §204, July 9, 1985, 99 Stat. 116; Pub. L. 99-185, §2(e), Dec. 17, 1985, 99 Stat. 1178; Pub. L. 100-274, §§1, 2(c)(3), Mar. 31, 1988, 102 Stat. 48; Pub. L. 101-585, §2, Nov. 15, 1990, 104 Stat. 2874; Pub. L. 102-390, title II, §§211, 221(c)(1), 225(b)(3), (4), Oct. 6, 1992, 106 Stat. 1624, 1628, 1629; Pub. L. 106-445, §2(a), Nov. 6, 2000, 114 Stat. 1931.)

HISTORICAL AND REVISION NOTES  
1982 ACT

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5132(a) .....	31:273(1st, 2d sentences). 31:369.	R.S. §3506(1st, 2d sentences).  R.S. §3552; restated May 10, 1950, ch. 172, 64 Stat. 157; Sept. 5, 1962, Pub. L. 87-643, §2, 76 Stat. 440; Aug. 13, 1981, Pub. L. 97-35, §382(b)(1), 95 Stat. 432.
5132(b) .....	31:361(1st sentence words after 1st comma, last sentence).	June 19, 1878, ch. 329, §1(2d sentence words before last semicolon on p. 191), 20 Stat. 191. July 7, 1898, ch. 571(7th par. 1st sentence words after 1st comma, last sentence under heading "Mints and Assay Offices"), 30 Stat. 661.
5132(c) .....	31:253.	R.S. §345.

In subsection (a)(1), the words "Secretary of the Treasury shall deposit in the Treasury as miscellaneous receipts" are substituted for "shall . . . be covered into the Treasury" in 31:369 because of the source provisions restated in section 321(c) of the revised title. The words "amounts the Secretary receives from the operations of the Bureau of the Mint" are substituted for "The money arising from all charges and deductions on and from gold and silver bullion and from all other sources" for clarity and to eliminate unnecessary words. The words "amounts from" are substituted for "money arising from the manufacture and sale of" to eliminate unnecessary words. The words "numismatic items" are substituted for "medals, proof coins, and uncirculated coins" for consistency with section 5111(a)(3) of the revised title. The words "minting coins" are substituted for "silver or minor coinage" for consistency with section 5112 of the revised title. The words "made by law" are omitted as surplus. The words "on estimates furnished by the Secretary of the Treasury" are omitted because of section 1108 of the revised title. The text of 31:273(1st, 2d sentences) is omitted because of section 321 of the revised title and the other source provisions restated in this chapter.

In subsection (a)(2), the words "ending September 30" are added for clarity and consistency in the revised title. The words "to pay costs" are substituted for "for all expenditures (salaries and expenses)" for consistency in the revised title and to eliminate unnecessary words. The words "not herein otherwise provided for" are omitted as surplus.

In subsection (b), the word "refining" is substituted for "parting and refining" for consistency in the revised chapter. The words "mints and assay offices" are