

TITLE 31 - MONEY AND FINANCE**SUBTITLE IV - MONEY****CHAPTER 51 - COINS AND CURRENCY****SUBCHAPTER II - GENERAL AUTHORITY****§ 5111. Minting and issuing coins, medals, and numismatic items****(a) The Secretary of the Treasury—**

- (1)** shall mint and issue coins described in section 5112 of this title in amounts the Secretary decides are necessary to meet the needs of the United States;
- (2)** may prepare national medal dies and strike national and other medals if it does not interfere with regular minting operations but may not prepare private medal dies;
- (3)** may prepare and distribute numismatic items; and
- (4)** may mint coins for a foreign country if the minting does not interfere with regular minting operations, and shall prescribe a charge for minting the foreign coins equal to the cost of the minting (including labor, materials, and the use of machinery).

(b) The Department of the Treasury has a coinage metal fund and a coinage profit fund. The Secretary may use the coinage metal fund to buy metal to mint coins. The Secretary shall credit the coinage profit fund with the amount by which the nominal value of the coins minted from the metal exceeds the cost of the metal. The Secretary shall charge the coinage profit fund with waste incurred in minting coins and the cost of distributing the coins, including the cost of coin bags and pallets. The Secretary shall deposit in the Treasury as miscellaneous receipts excess amounts in the coinage profit fund.

(c) Procurements Relating to Coin Production.—

(1) In general.— The Secretary may make contracts, on conditions the Secretary decides are appropriate and are in the public interest, to acquire articles, materials, supplies, and services (including equipment, manufacturing facilities, patents, patent rights, technical knowledge, and assistance) necessary to produce the coins referred to in this title.

(2) Domestic control of coinage.—

(A) Subject to subparagraph (B), in order to protect the national security through domestic control of the coinage process, the Secretary shall acquire only such articles, materials, supplies, and services (including equipment, manufacturing facilities, patents, patent rights, technical knowledge, and assistance) for the production of coins as have been produced or manufactured in the United States unless the Secretary determines it to be inconsistent with the public interest, or the cost to be unreasonable, and publishes in the Federal Register a written finding stating the basis for the determination.

(B) Subparagraph (A) shall apply only in the case of a bid or offer from a supplier the principal place of business of which is in a foreign country which does not accord to United States companies the same competitive opportunities for procurements in connection with the production of coins as it accords to domestic companies.

(3) Determination.—

(A) In general.— Any determination of the Secretary referred to in paragraph (2) shall not be reviewable in any administrative proceeding or court of the United States.

(B) Other rights unaffected.— This paragraph does not alter or annul any right of review that arises under any provision of any law or regulation of the United States other than paragraph (2).

(4) Nothing in paragraph (2) of this subsection in any way affects the procurement by the Secretary of gold and silver for the production of coins by the United States Mint.

(d)

- (1) The Secretary may prohibit or limit the exportation, melting, or treatment of United States coins when the Secretary decides the prohibition or limitation is necessary to protect the coinage of the United States.
- (2) A person knowingly violating an order or license issued or regulation prescribed under paragraph (1) of this subsection, shall be fined not more than \$10,000, imprisoned not more than 5 years, or both.
- (3) Coins exported, melted, or treated in violation of an order or license issued or regulation prescribed, and metal resulting from the melting or treatment, shall be forfeited to the United States Government. The powers of the Secretary and the remedies available to enforce forfeitures are those provided in part II of subchapter C of chapter 75 of the Internal Revenue Code of 1954¹ (26 U.S.C. 7321 et seq.).

Footnotes

¹ See References in Text note below.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 980; Pub. L. 100–274, § 3, Mar. 31, 1988, 102 Stat. 49; Pub. L. 102–390, title II, § 222, Oct. 6, 1992, 106 Stat. 1629.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5111(a)(1)	31:272.	R.S. § 3503.
	31:275.	R.S. § 3509; Aug. 23, 1912, ch. 350, § 1(last par. words before 7th comma under heading “Assay Office at Salt Lake City, Utah”), 37 Stat. 384.
	31:322.	R.S. § 3516.
	31:342.	June 4, 1897, ch. 2, § 1(1st par. under heading “Recoinage, Reissue, and Transportation of Minor Coins”), 30 Stat. 27.
	31:345.	R.S. § 3532; Aug. 23, 1912, ch. 350, § 1(last par. words before 7th comma under heading “Assay Office at Salt Lake City, Utah”), 37 Stat. 384.
	31:353.	R.S. § 3540; Aug. 23, 1912, ch. 350, § 1(last par. words before 7th comma under heading “Assay Office at Salt Lake City, Utah”), 37 Stat. 384.
	31:391(a).	July 23, 1965, Pub. L. 89–81, § 101(a), 79 Stat. 254; restated Dec. 31, 1970, Pub. L. 91–607, § 201, 84 Stat. 1768.
5111(a)(2)	31:368.	R.S. § 3551; Aug. 23, 1912, ch. 350, § 1(last par. words before 7th comma under heading “Assay Office at Salt Lake City, Utah”), 37 Stat. 384.
5111(a)(3)	31:324h.	Oct. 18, 1973, Pub. L. 93–127, § 5, 87 Stat. 456.
5111(a)(4)	31:367.	Jan. 29, 1874, ch. 19, 18 Stat. 6.
5111(b)	31:340.	R.S. § 3528; Apr. 24, 1906, ch. 1861, 34 Stat. 132; Dec. 2, 1918, ch. 1, 40 Stat. 1051; Aug. 14, 1937, ch. 631, 50 Stat. 647; June 21, 1941, ch. 213,

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
		55 Stat. 255; June 30, 1954, ch. 427, 68 Stat. 336; July 9, 1956, ch. 535, § 1, 70 Stat. 518; restated July 23, 1965, Pub. L. 89–81, § 206(a), 79 Stat. 256.
5111(c)	31:393(a).	July 23, 1965, Pub. L. 89–81, §§ 103(a), 105, 106, 79 Stat. 255.
5111(d)	31:395, 396.	

In subsection (a)(1), the words “coins described in” are substituted for “coins of the denominations set forth in” in 31:391(a) because of the restatement. The text of 31:253, 272, and 345(1st sentence) is omitted as superseded by the source provisions restated in section 321(c) of the revised title. The text of 31:275, 322, 342, 345(last sentence), and 353 is omitted as unnecessary because of the restatement.

In subsection (a)(2), the words “Secretary of the Treasury” are substituted for “engraver” and “superintendent of coining department of the mint at Philadelphia” because of the source provisions restated in section 321(c) of the revised title. The words “under such regulations as the superintendent, with the approval of the Director of the Mint, may prescribe” are omitted as unnecessary because of section 321(b) of the revised title. The words “national medal dies” are substituted for “Dies of a national character” for clarity. The words “or the machinery or apparatus thereof be used for that purpose” are omitted as unnecessary because of the restatement.

In subsection (a)(3), the words “numismatic items” are retained and used throughout the revised title to apply to medals, proof coins, uncirculated coins, numismatic accessories, and other numismatic items to eliminate unnecessary words and for consistency. The words “In connection with the operations of the Bureau of the Mint” are omitted as unnecessary because of the restatement. The text of 31:324h(last sentence) is omitted as unnecessary because of the source provisions restated in section 5132(a) of the revised title.

In subsection (a)(4), the words “may mint” are substituted for “It shall be lawful for coinage to be executed” in 31:367, and the words “regular minting operations” are substituted for “required coinage of the United States”, for consistency in the revised section. The words “at the mints of the United States” and “according to the legally prescribed standards and devices of such country” are omitted as unnecessary because of the restatement. The words “The Secretary of the Treasury . . . shall prescribe a charge” are substituted for “the charge . . . to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury” because of the source provisions restated in section 321(c) of the revised title. The words “minting the foreign coins” are substituted for “the same”, for clarity. The words “under such regulations as the Secretary of the Treasury may prescribe” are omitted as unnecessary because of section 321(b) of the revised title.

In subsection (b), the first sentence is added for clarity and because of the restatement. The words “amount by which the nominal value of the coins minted from the metal exceeds the cost of the metal” are substituted for “gain arising from the coinage of metals purchased out of such fund into coin of a nominal value exceeding the cost of such metals” to eliminate unnecessary words. The words “The Secretary shall deposit in the Treasury as miscellaneous receipts excess amounts in the coinage profit fund” are substituted for “such sums as shall from time to time be transferred therefrom to the general fund of the Treasury” for clarity and for consistency in the revised title.

In subsection (c), the words “metallic strip” are omitted as being included in “materials”, and the word “terms” is omitted as being included in “conditions”.

In subsection (d)(1), the words “prohibit or limit” are substituted for “prohibit, curtail, or regulate” because of the restatement and to eliminate unnecessary words. The words “prohibition or limitation” are substituted for “such action” because of the restatement. The words “under such rules and regulations as he may prescribe” are omitted as unnecessary because of section 321(b) of the revised title.

In subsection (d)(2), the word “person” is substituted for “Whoever” for consistency in the revised title.

In subsection (d)(3), the words “and his delegates” are omitted as unnecessary because of the power of the Secretary to delegate under section 321(b) of the revised title. The word “remedies” is substituted for “judicial and other remedies available to the United States” to eliminate unnecessary words. The words “of property subject to forfeiture pursuant to subsection (a) of this section” and “for the enforcement of forfeitures of property subject to forfeiture under any provision of title 26” are omitted as unnecessary because of the restatement.

References in Text

The Internal Revenue Code of 1954, referred to in subsec. (d)(3), was redesignated the Internal Revenue Code of 1986 by Pub. L. 99-514, § 2, Oct. 22, 1986, 100 Stat. 2095, and is classified generally to Title 26, Internal Revenue Code.

Amendments

1992—Subsec. (b). Pub. L. 102-390 inserted “, including the cost of coin bags and pallets” after “distributing the coins” in fourth sentence.

1988—Subsec. (c). Pub. L. 100-274 inserted heading and amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “The Secretary may make contracts on conditions the Secretary decides are appropriate and in the public interest to acquire equipment, manufacturing facilities, patents, patent rights, technical knowledge and assistance, and materials necessary to produce rapidly an adequate supply of coins referred to in section 5112 (a)(1)–(4) of this title.”

Termination of Coinage Profit Fund and Coinage Metal Fund

All assets and liabilities of Coinage Profit Fund and Coinage Metal Fund transferred to United States Mint Public Enterprise Fund and both coinage funds to cease to exist as separate funds as their activities and functions are subsumed under and subject to United States Mint Public Enterprise Fund, see section 5136 of this title.

Commemorative Medals

Provisions authorizing commemorative medals were contained in the following acts:

Pub. L. 112-76, Dec. 23, 2011, 125 Stat. 1275, recognizing the fallen heroes who perished as a result of the terrorist attacks on the United States on Sept. 11, 2001.

Pub. L. 112-59, Nov. 23, 2011, 125 Stat. 749, recognizing the Montford Point Marines.

Pub. L. 111-254, Oct. 5, 2010, 124 Stat. 2637, recognizing the 100th Infantry Battalion, the 442nd Regimental Combat Team, and the Military Intelligence Service, United States Army, for service during World War II.

Pub. L. 111-253, Oct. 5, 2010, 124 Stat. 2635, recognizing Dr. Muhammad Yunus.

Pub. L. 111-221, Aug. 6, 2010, 124 Stat. 2376, recognizing the 10th anniversary of Sept. 11, 2001, and the establishment of the National September 11 Memorial & Museum.

Pub. L. 111-65, Sept. 30, 2009, 123 Stat. 2003, recognizing Arnold Palmer.

Pub. L. 111-44, Aug. 7, 2009, 123 Stat. 1966, recognizing Neil A. Armstrong, Edwin E. “Buzz” Aldrin, Jr., Michael Collins, and John Herschel Glenn, Jr.

Pub. L. 111-40, July 1, 2009, 123 Stat. 1958, recognizing the Women Airforce Service Pilots (WASP).

Pub. L. 110-420, Oct. 15, 2008, 122 Stat. 4774, recognizing Native American code talkers.

Pub. L. 110-260, July 1, 2008, 122 Stat. 2433, recognizing Senator Edward William Brooke III.

Pub. L. 110-259, July 1, 2008, 122 Stat. 2430, recognizing Constantino Brumidi.

Pub. L. 110-209, May 6, 2008, 122 Stat. 721, recognizing Aung San Suu Kyi.

Pub. L. 110-95, Oct. 16, 2007, 121 Stat. 1008, recognizing Michael Ellis DeBakey, M.D.

Pub. L. 109-395, Dec. 14, 2006, 120 Stat. 2708, recognizing Dr. Norman E. Borlaug.

Pub. L. 109-357, Oct. 16, 2006, 120 Stat. 2044, recognizing Byron Nelson.

Pub. L. 109-287, Sept. 27, 2006, 120 Stat. 1231, recognizing the Fourteenth Dalai Lama.

Pub. L. 109-213, Apr. 11, 2006, 120 Stat. 322, recognizing the Tuskegee Airmen.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

- Pub. L. 108–447, div. B, title I, § 124, Dec. 8, 2004, 118 Stat. 2871, as amended by Pub. L. 109–13, div. A, title VI, § 6060, May 11, 2005, 119 Stat. 297, recognizing members of public safety agencies killed in the terrorist attacks in the United States on Sept. 11, 2001.
- Pub. L. 108–368, Oct. 25, 2004, 118 Stat. 1746, recognizing Reverend Doctor Martin Luther King, Jr., and his widow Coretta Scott King.
- Pub. L. 108–180, Dec. 15, 2003, 117 Stat. 2645, recognizing Reverend Joseph A. DeLaine, Harry and Eliza Briggs, and Levi Pearson.
- Pub. L. 108–162, Dec. 6, 2003, 117 Stat. 2017, recognizing Dr. Dorothy Irene Height.
- Pub. L. 108–101, Oct. 29, 2003, 117 Stat. 1195, recognizing Jackie Robinson.
- Pub. L. 108–60, July 17, 2003, 117 Stat. 862, recognizing Prime Minister Tony Blair.
- Pub. L. 107–127, Jan. 16, 2002, 115 Stat. 2405, recognizing General Henry H. Shelton.
- Pub. L. 106–554, § 1(a)(4) [div. B, title XI, § 1101], Dec. 21, 2000, 114 Stat. 2763, 2763A–311, recognizing the Navajo Code Talkers.
- Pub. L. 106–251, July 27, 2000, 114 Stat. 624, recognizing Ronald and Nancy Reagan.
- Pub. L. 106–250, July 27, 2000, 114 Stat. 622, recognizing Pope John Paul II.
- Pub. L. 106–225, June 20, 2000, 114 Stat. 457, recognizing Charles M. Schulz.
- Pub. L. 106–175, Mar. 5, 2000, 114 Stat. 21, recognizing Archbishop John Cardinal O’Connor.
- Pub. L. 106–153, Dec. 9, 1999, 113 Stat. 1733, recognizing Father Theodore M. Hesburgh.
- Pub. L. 106–26, May 4, 1999, 113 Stat. 50, recognizing Rosa Parks.
- Pub. L. 105–277, div. C, title I, § 139(a), Oct. 21, 1998, 112 Stat. 2681–597, recognizing the individuals commonly referred to as the “Little Rock Nine”.
- Pub. L. 105–277, div. C, title I, § 139(b), Oct. 21, 1998, 112 Stat. 2681–598, recognizing Gerald R. and Betty Ford.
- Pub. L. 105–215, July 29, 1998, 112 Stat. 895, recognizing Nelson Rolihlahla Mandela.
- Pub. L. 105–51, Oct. 6, 1997, 111 Stat. 1170, recognizing Ecumenical Patriarch Bartholomew.
- Pub. L. 105–16, June 2, 1997, 111 Stat. 35, recognizing Mother Teresa of Calcutta.
- Pub. L. 105–14, May 14, 1997, 111 Stat. 32, recognizing Frank Sinatra.
- Pub. L. 104–201, div. A, title X, § 1066, Sept. 23, 1996, 110 Stat. 2654, recognizing civilians who defended Pearl Harbor.
- Pub. L. 104–111, Feb. 13, 1996, 110 Stat. 772, recognizing Billy and Ruth Graham.
- Pub. L. 103–457, Nov. 2, 1994, 108 Stat. 4799, recognizing Rabbi Menachem Mendel Schneerson.
- Pub. L. 102–479, Oct. 23, 1992, 106 Stat. 2308, commemorating the 250th anniversary of the founding of the American Philosophical Society and of the birth of Thomas Jefferson.
- Pub. L. 102–406, Oct. 12, 1992, 106 Stat. 1986, commemorating Benjamin Franklin’s contributions to American fire services.
- Pub. L. 102–281, title III, May 13, 1992, 106 Stat. 137; Pub. L. 103–328, title II, § 203, Sept. 29, 1994, 108 Stat. 2369, recognizing members of the United States Armed Forces who served in a combat zone in connection with the Persian Gulf conflict.
- Pub. L. 102–33, Apr. 23, 1991, 105 Stat. 177, recognizing General Colin L. Powell.
- Pub. L. 102–32, Apr. 23, 1991, 105 Stat. 175, recognizing General H. Norman Schwarzkopf.
- Pub. L. 101–510, div. A, title XIV, §§ 1491, 1494, Nov. 5, 1990, 104 Stat. 1720, 1722, recognizing General Matthew B. Ridgway.
- Pub. L. 101–510, div. A, title XIV, §§ 1492, 1494, Nov. 5, 1990, 104 Stat. 1721, 1722, recognizing veterans of the Armed Forces of the United States who were present in Hawaii on Dec. 7, 1941, and participated in combat operations that day.
- Pub. L. 101–510, div. A, title XIV, §§ 1493, 1494, Nov. 5, 1990, 104 Stat. 1722, commemorating centennial of Yosemite National Park.
- Pub. L. 101–296, May 17, 1990, 104 Stat. 197, recognizing Laurance Spelman Rockefeller.

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Pub. L. 101–260, Mar. 30, 1990, 104 Stat. 122, commemorating bicentennial of United States Coast Guard.

Pub. L. 100–639, Nov. 9, 1988, 102 Stat. 3331, recognizing Andrew Wyeth.

Pub. L. 100–437, §§ 1–3, Sept. 20, 1988, 102 Stat. 1717, recognizing Jesse Owens.

Pub. L. 100–210, §§ 1, 2, Dec. 24, 1987, 101 Stat. 1441, recognizing Mary Lasker.

Pub. L. 99–418, Sept. 23, 1986, 100 Stat. 952, recognizing Aaron Copland.

Pub. L. 99–311, May 20, 1986, 100 Stat. 464, recognizing Harry Chapin.

Pub. L. 99–298, May 13, 1986, 100 Stat. 432, recognizing Natan (Anatoly) and Avital Shcharansky.

Pub. L. 99–295, May 12, 1986, 100 Stat. 427; Pub. L. 100–210, § 3, Dec. 24, 1987, 101 Stat. 1441; Pub. L. 100–437, § 4, Sept. 20, 1988, 102 Stat. 1717, commemorating the Young Astronaut Program.

Pub. L. 95–630, title IV, §§ 401–407, Nov. 10, 1978, 92 Stat. 3679, 3680, recognizing outstanding individuals in the American arts.