§ 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 1954 ¹ (26 U.S.C. 7321 et seq.).

Footnotes
¹ See References in Text note below.


### Historical and Revision Notes

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

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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 Mint 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

Amendments

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. 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.


