FORM BE-13C (REV. 09/2014)



### SURVEY OF NEW FOREIGN DIRECT INVESTMENT IN THE UNITED STATES FORM BE-13C

### MANDATORY — CONFIDENTIAL

		Nan	ne and mailing address				
Electronic filing:	Go to www.bea.gov/efile for details		Name:				
		0010					
Mail reports to:	U.S. Department of Commerce Bureau of Economic Analysis, BE–49(NI)		In Care Of:				
		0011					
			Attention:				
Deliver reports to:		0012					
	Bureau of Economic Analysis, BE–49(NI) Shipping and Receiving Section, M–100 1441 L Street, NW Washington, DC 20005		Title:				
		0013					
			Street 1:				
		0014					
Fax reports to:	(202) 606–5319		Street 2:				
		0015					
Assistance:	E-mail: be13@bea.gov		City:		State:		Zip:
	Telephone: (202) 606-5577	0016		0017		0018	
	Copies of form: www.bea.gov/fdi						

Definitions: Underlined items are defined on page 10.

Due date: No later than 45 days after the completion of the investment transaction.

Estimates: If actual amounts are not available, supply estimates and label them as such.

Who must report: A BE-13C report must be filed by an existing U.S. affiliate of a foreign parent when it acquires a U.S. business enterprise or segment that it then merges into its operations and the total cost to acquire the business enterprise is greater than \$3 million.

#### Alternate forms:

Report on Form BE-13A if a foreign entity acquires a voting interest (directly, or indirectly through an existing U.S. affiliate) in an existing U.S. business enterprise, segment, or operating unit and i) the total cost of the acquisition is greater than \$3 million, ii) the U.S. business enterprise will operate as a separate legal entity, and iii) by this acquisition, at least 10 percent of the voting interest in the acquired entity is now held (directly or indirectly) by the foreign entity.

Report on Form BE-13B if a foreign entity or an existing U.S. affiliate of a foreign entity establishes a new legal entity in the United States and i) the projected total cost to establish the new legal entity is greater than \$3 million, and ii) the foreign entity owns 10 percent or more of the new business enterprise's voting interest (directly or indirectly).

Report on Form BE-13D if an existing U.S. affiliate of a foreign parent expands its operations to include a new facility where business is conducted.

Report on Form BE-13E to update construction costs previously reported on Forms BE-13B or BE-13D.

Report on Form BE-13 Claim for Exemption if the U.S. business Enterprise is exempt from filing on Forms BE-13A, BE-13B, BE-13C, or BE-13E.

	\$	Bil.	Mil.	Thous.	Dols.
Monetary Values — Report in U.S. dollars rounded to thousands (omitting 000). EXAMPLE – If amount is \$1,334,891.00, report as	1		1	335	000
Percentages — Report ownership percentages to a tenth of one percent:		9	8	7 %	

Retention of copies: Retain a copy of each BE-13 report for three years beyond the report's original due date.

**Purpose:** This survey collects data on the acquisition or establishment of U.S. business enterprises by foreign investors and the expansion of existing U.S. affiliates of foreign companies to establish a new production facility. The data collected on the survey are used to measure the amount of new foreign direct investment in the United States, assess the impact on the U.S. economy, and based on this assessment, make informed policy decisions regarding foreign direct investment in the United States.

**Authority:** This survey is being conducted under the International Investment and Trade in Services Survey Act (P.L. 94-472, 90 Stat. 2059, 22 U.S.C. 3101-3108, as amended) –hereinafter "the Act", and the filing of reports is MANDATORY pursuant to Section 5(b)(2) of the Act (22 U.S.C. 3104). The implementing regulations are contained in Title 15, CFR, Part 801.

**Penalties:** Whoever fails to report may be subject to a civil penalty of not less than \$2,500, and not more than \$32,500, and to injunctive relief commanding such person to comply, or both. Whoever willfully fails to report shall be fined not more than \$10,000 and, if an individual, may be imprisoned for not more than one year, or both. Any officer, director, employee, or agent of any corporation who knowlingly participates in such violation, upon conviction, may be punished by a like fine, imprisonment, or both. (22 U.S.C. 3105). Civil penalties are subject to inflationary adjustments. Those adjustments are found in 15 CFR 6.4.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

**Respondent burden:** Public reporting burden for this collection of information is estimated to average 2.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing burden, to: Director, Bureau of Economic Analysis (BE-1), U.S. Department of Commerce, Washington, DC 20230; and to the Office of Management and Budget, Paperwork Reduction Project 0608-0035, Washington, DC 20503.

**Confidentiality:** The Act provides that your report to this Bureau is CONFIDENTIAL and may be used only for analytical or statistical purposes. Without your prior written permission, the information filed in your report CANNOT be presented in a manner that allows it to be individually identified. Your report CANNOT be used for purposes of taxation, investigation, or regulation. Copies retained in your files are immune from legal process.

Person to consult concerning questions about this report — Enter name and address						<b>Certification</b> — The undersigned official certifies that this report has been prepared in accordance with the applicable instructions, is					
0020	Name <sup>0</sup>				complete, and is substantially accurate including estimates that may have been provided.						
0021	Address 0										
0022	0			Autho	rized official's signature	Date					
0023	0				0025	Print or type name 0	0026	Print or type title 0			
0024	Telephone number 0	Area code	Number	Extension	0027	Telephone number 1	0028	Fax number 2			

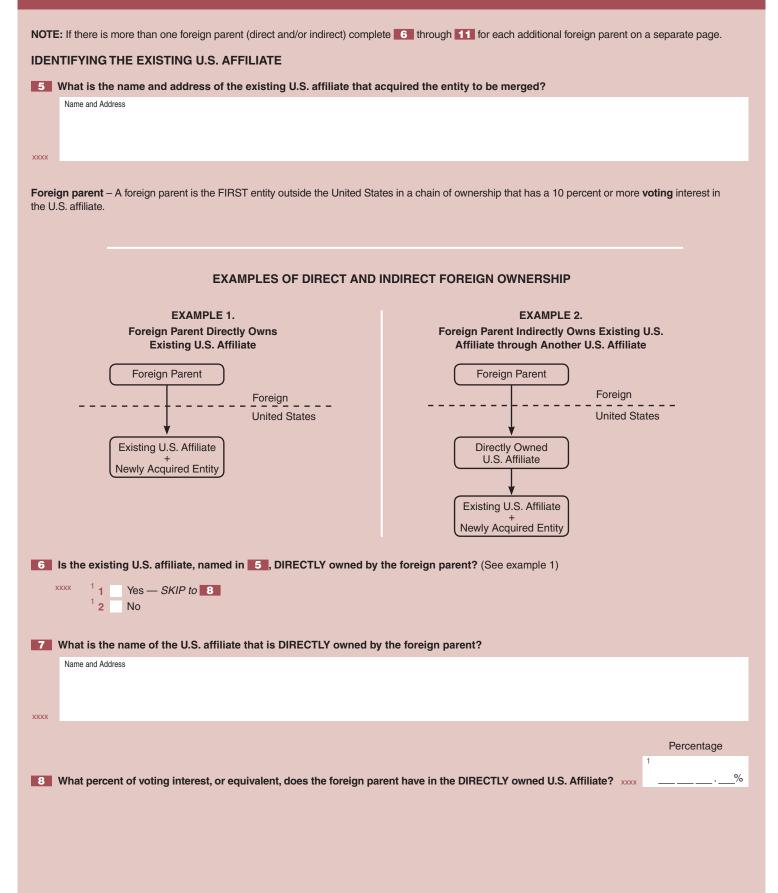
#### May fax and/or e-mail be used in correspondence between your enterprise and BEA?

**Note** — If you choose to communicate with BEA via fax or electronic mail, BEA cannot guarantee the security of the information during transmission, but will treat information we receive as confidential in accordance with Section 5(c) of the International Investment and Trade in Services Survey Act.

<sup>0030</sup> E-mail: <sup>1</sup> <b>1</b> Yes (If yes, enter your e-mail address)	E-mail address
<sup>1</sup> <b>2</b> No	0
<sup>0031</sup> Fax: <sup>1</sup> 1 Yes (If yes, enter your fax number)	Fax number
<sup>1</sup> 2 No	0

1	1 What date was the merged U.S. business enterprise acquired?	Month /	Day /	Year
2	What is the name and address of the merged entity?			
	Name and Address			
0041		٩	lumber of	Companies
	<ul> <li>How many U.S. business enterprises were acquired for the merger?</li></ul>	XXXX		
4	What are the name(s) and employer identification number(s) of the U.S. business enterprise(s) consolidated in	the me	rged enti	ty?

	Name of each U.S. business enterprise consolidated (1)	Employer Identification Number used to file inco and payroll taxes (2)				
XXXX	1	2	_			
	1	2				
	1	2				
XXXX	1	2	-			
XXXXX	1	2	-			
XXXXX			-			



#### **IDENTIFYING THE FOREIGN PARENT**

**What is the name of the foreign parent holding a direct or indirect voting interest in the existing U.S. affiliate?** If the foreign parent is an individual, enter "individual" instead of the individual's name.

10 What is the country of incorporation of the foreign parent holding a direct or indirect voting interest in the existing U.S. affiliate? If the foreign parent is an individual or government, enter the country of residence.

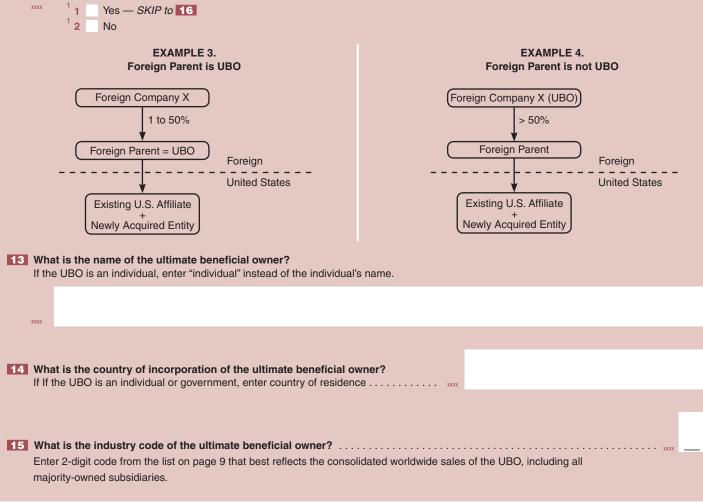
What is the industry code of the foreign parent holding a direct or indirect voting interest in the existing U.S. affiliate?....

Enter 2-digit code from the list on page xx that best describes the PRIMARY activity of the SINGLE entity named as the foreign parent. DO NOT base the code on the worldwide sales of all consolidated subsidiaries of the foreign parent.

#### **IDENTIFYING THE ULTIMATE BENEFICIAL OWNER (UBO)**

12 Is the foreign parent also the ultimate beneficial owner (UBO)? See examples 3 and 4.

- The UBO is the entity, proceeding up the ownership chain, which is not more than 50 percent owned or controlled by another entity.
- If the foreign parent is owned or controlled more than 50 percent by another entity, then the foreign parent is NOT the UBO. See example 4.



#### **TRANSACTION INFORMATION**

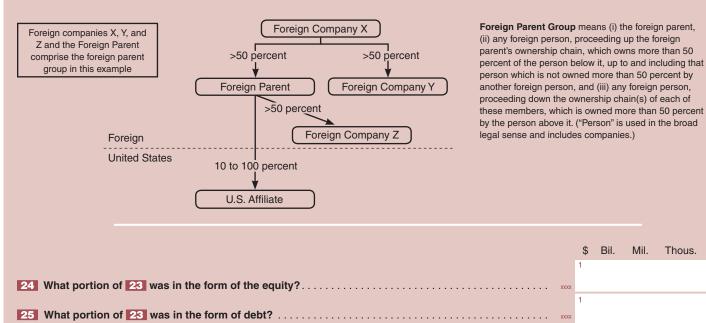
Name and Address

**16** Did the foreign parent or existing U.S. affiliate hold a direct ownership interest in the merged entity immediately prior to the date of acquisition listed in

<sup>xxxx</sup> 1 Yes 2 No - <i>SKIP to</i> 20				
			Percenta	age
17 What was the percent of direct voting ownership interest, or equivalent, that the foreign parent or existing U.S. affiliate held in the merged entity prior to the recent acquisition listed in 1 ?		XXXX	1	%
		Month	n Day Y	/ear
		1		
18 What was the date that the ownership reported in 17 was acquired?	. xxxx		//	
19 What was the value of the investment the foreign parent or existing U.S. affiliate had in the	\$ E	Bil. M	il. Thous.	Dols.
merged entity prior to the recent acquisition reported in <b>1</b> ? (EXCLUDE the cost of the acquisition that took place on the date reported in <b>1</b> and that is being reported on this BE-13.)	1			000
20 What is the name and address of the entity from whom, on the date reported in 11, the acquired U.S. af	filiate	was pu	rchased?	

XXXX						
		\$	Bil.	Mil.	Thous.	Dols.
	What was the purchase price of the acquisition that took place on the date reported in          Include the cost of all voting and non-voting equity interests. Equals sum of          22       and          23	1				000
	What portion of the cost reported in 21 was provided by an existing U.S. affiliate         of the foreign parent?         xxxx	1				000
	What portion of the cost reported 21 was provided by the foreign parent group (see example 7)?         Include funds they borrowed in the United States and abroad. Equals sum of 24 and 25	1				000

#### **EXAMPLE 5. FOREIGN PARENT GROUP**



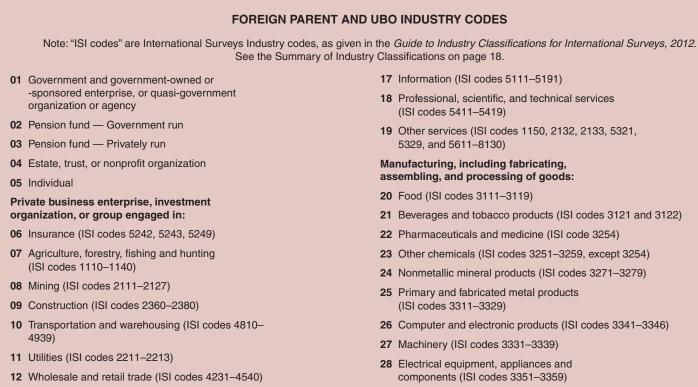
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- 13 Banking, including bank holding companies (ISI codes 5221 and 5229)
- 14 Holding companies, excluding bank holding companies (ISI codes 5512 and 5513)
- 15 Other finance (ISI codes 5223, 5224, 5231, 5238, that part of ISI code 5252 that is not estates and trusts, and ISI code 5331)
- 16 Real estate (ISI code 5310)

#### NOTE:

- 29 Motor vehicles and parts (ISI codes 3361-3363)
- **30** Other transportation equipment (ISI codes 3364–3369)
- **31** Other manufacturing (ISI codes 3130–3231, 3261, 3262, 3370–3399)
- **32** Petroleum manufacturing, including integrated petroleum and petroleum refining without extraction (ISI codes 3242–3244)

#### DEFINITIONS

**Affiliate** means a business enterprise located in one country that is directly or indirectly owned or controlled by an entity of another country to the extent of 10 percent or more of its voting stock for an incorporated business or an equivalent interest for an unincorporated business, including a branch.

**Affiliated foreign group** means (i) the foreign parent, (ii) any foreign entity, proceeding up the foreign parent's ownership chain, that owns more than 50 percent of the entity below it up to and including that entity which is not owned more than 50 percent by another foreign entity, and (iii) any foreign entity, proceeding down the ownership chain(s) of each of these members, which is owned more than 50 percent by the entity above it.

**Associated group** means two or more persons who, by the appearance of their actions, by agreement, or by an understanding, exercise their voting privileges in a concerted manner to influence the management of a business enterprise. Each of the following are deemed to be an associated group:

- (1) Members of the same family,
- (2) A business enterprise and one or more of its officers and directors,
- (3) Members of a syndicate or joint venture, or
- (4) A corporation and its domestic subsidiaries.

**Branch** means the operations or activities conducted by an entity in a different location in its own name rather than through an incorporated entity.

**Business enterprise** means any organization, association, branch, or venture that exists for profit making purposes or to otherwise secure economic advantage, and any ownership of any real estate.

**Employment** should reflect the number of employees during normal operations of the U.S. business enterprise.

- If a strike, or other interruption of operations, was in progress at the end of the year, report a number that represents normal operation.
- (2) If the business enterprises' activity involves large seasonal variations, report a number that represents an average for the year.

**Entity** (as used here, "entity" is synonymous with "person," as that term is used in the broad legal sense) means any individual, branch, partnership, associated group, association, estate, trust, corporation, or other organization (whether or not organized under the laws of any State), and any government (including a foreign government, the United States Government, a State or local government, and any agency, corporation, financial institution, or other entity or instrumentality thereof, including a government-sponsored agency).

**Foreign** when used in a geographic sense, means that which is situated outside the United States or which belongs to or is characteristic of a country other than the United States. **Foreign direct investment in the United States** means the ownership or control, directly or indirectly, by one foreign investor of 10 percent or more of the voting securities of an incorporated U.S. business enterprise or an equivalent interest in an unincorporated U.S. business enterprise, including a branch or partnership.

**Foreign parent** means each and every foreign entity that directly holds a voting interest of 10 percent or more in the U.S. business enterprise identified as the U.S. affiliate.

**Foreign residence** for individuals who do not reside in their country of citizenship is determined using the following guidelines:

- Individuals who reside, or expect to reside, outside their country of citizenship for less than one year are considered to be residents of their country of citizenship.
- (2) Individuals who reside, or expect to reside, outside their country of citizenship for one year or more are considered to be residents of the country in which they are residing, except as provided in 3 below.
- (3) If an owner or employee of a business enterprise resides outside the country of location of the enterprise for one year or more for the purpose of furthering the business of the enterprise, and the country of the business enterprise is the country of citizenship of the owner or employee, then the owner or employee is considered a resident of the country of citizenship provided he or she intends to return within a reasonable period of time.
- (4) Individuals and members of their immediate families who reside outside their country of citizenship as a result of employment by the government of that country – diplomats, consular officials, members of the armed forces, etc. – are considered to be residents of their country of citizenship.

**Real Estate** ownership is a business enterprise unless the real estate is held exclusively for personal use. See the BE-13 Claim for Not Filing for more specific information.

**U.S. affiliate** means an affiliate located in the United States in which a foreign entity has a direct investment.

**U.S. Corporation** means a business enterprise incorporated in the United States.

**Unites States** when used in a geographical sense, means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and all territories and possessions of the United States.

**Voting interest** is the percent of ownership in the voting securities of an incorporated business enterprise or an equivalent interest in an unincorporated business enterprise, including a branch or partnership.

#### **Summary of Industry Classifications**

Cable and other subscription

except satellite Satellite telecommunications

Other telecommunications

**Finance and Insurance** 

programming Wired telecommunications carriers

Wireless telecommunications carriers,

Data processing, hosting, and related services Other information services

Depository credit intermediation (Banking) Activities related to credit intermediation

Nondepository credit intermediation

exchanges Agencies, brokerages, and other insurance related activities

**Real Estate and Rental and Leasing** 

**Professional, Scientific, and Technical** 

carriers Life insurance carriers

Real estate

5411 Legal services

services

services

services

**Educational Services** 6110 Educational services

institutions

industries

**Other Services** 

Nondepository branches and agencies Securities and commodity contracts

intermediation and brokerage Other financial investment activities and

Insurance carriers, except life insurance

Funds, trusts, and other financial vehicles

Heal estate Automotive equipment rental and leasing Other rental and leasing services Lessors of nonfinancial intangible assets, except copyrighted works

Accounting, tax preparation, bookkeeping, and payroll services Architectural, engineering, and related

Specialized design services Computer systems design and related

Scientific research and development

Advertising, public relations, and related

**Management of Companies and Enterprises** 

Other professional, scientific, and technical services

5512 Holding companies, except bank holding companies

Corporate, subsidiary, and regional management offices

**Administrative and Support and Waste** 

Office administrative services

Facilities support services Employment services

Other support services

**Health Care and Social Assistance** 

**Arts, Entertainment, and Recreation** 

**Accommodation and Food Services** 

7210 Accommodation 7220 Food services and drinking places

8110 Repair and maintenance

**Public Administration** 

9200 Public administration

**Management and Remediation Services** 

Business support services Travel arrangement and reservation

Investigation and security services Services to buildings and dwellings

Waste management and remediation services

Ambulatory health care services Hospitals Nursing and residential care facilities Social assistance

Performing arts, spectator sports, and related industries

Museums, historical sites, and similar

Amusement, gambling, and recreation

Personal and laundry services Religious, grantmaking, civic, professional, and similar organizations

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6220 6230

6240

7110

7121

7130

8120

8130

Services

#### Agriculture, Forestry, Fishing, and Hunting

- 1110 1120 Crop production Animal production
- 1130 1140
- Forestry and logging Fishing, hunting, and trapping Support activities for agriculture 1150 and forestry

#### Mining

- Oil and gas extraction Coal 2111 2121
- Nonmetallic minerals
- 2123 2124 Iron ores
- Gold and silver ores Copper, nickel, lead, and zinc ores Other metal ores 2125
- 2126 2127
- Support activities for oil and gas 2132
- operations Support activities for mining, except
- 2133 for oil and gas operations

#### Utilities

- 2211 Electric power generation,
- transmission, and distribution Natural gas distribution 2212
- 2213 Water, sewage, and other systems

#### Construction

- Construction of buildings Heavy and civil engineering construction Specialty trade contractors 2360 2370
- 2380

- Manufacturing 3111 Animal foods 3112 Grain and oilseed milling 3113 Sugar and confectionery products 3114 Fruit and vegetable preserving and specialty foods Dairy products Meat products 3115 3116 3117 Seafood product preparation and packaging Bakeries and tortillas 3118 3119 3121 Other food products **Beverages** 3122 Tobacco Textile mills Textile product mills 3130 3140 3150 Apparel Leather and allied products Wood products 3160 3210 Pulp, paper, and paperboard mills Converted paper products Printing and related support activities 3221 3222 3231 3242 Integrated petroleum refining and extraction Petroleum refining without extraction Asphalt and other petroleum and coal products 3243 3244
- Basic chemicals 3251 Resins, synthetic rubbers, and artificial and synthetic fibers and 3252 filaments
- Pesticides, fertilizers, and other agricultural chemicals Pharmaceuticals and medicines Paints, coatings, and adhesives Soap, cleaning compounds, and toild programmers 3253
- 3254 3255
- 3256
- toilet preparations Other chemical products and 3259
- preparations
- Plastics products Rubber products 3261 3262
- 3271 3272
- Clay products and refractories Glass and glass products Cement and concrete products 3273
- 3274 3279
- 3311
- Utime and gypsum products Other nonmetallic mineral products Iron and steel mills and ferroalloys Steel products from purchased steel Alumina and aluminum production and 3312 3313
- processing 3314
- Nonferrous metal (except aluminum) production and processing Foundries 3315
- 3321 3322
- Forging and stamping Cutlery and handtools Architectural and structural metals 3323
- 3324 3325 Boilers, tanks, and shipping containers Hardware
- 3326 3327
- Spring and wire products Machine shops; turned products; and screws, nuts, and bolts 3328
- Coating, engraving, heat treating, and allied activities
- 3329 3331 Other fabricated metal products
- Agriculture, construction, and mining machinery
- 3332

Page 10

- Industrial machinery 3333
- Commercial and service industry machinery

- Ventilation, heating, air-conditioning, and commercial refrigeration equipment 3334 Metalworking machinery Engines, turbines, and power transmission equipment Other general purpose machinery Computer and peripheral equipment 3335 3336 3339 3341

  - Communications equipment Audio and video equipment Semiconductors and other 3342 3343
- 3344
- electronic components Navigational, measuring, electromedical, 3345 and control instruments
- Manufacturing and reproducing magnetic and optical media 3346
- 3351
- 3352 3353
- Electric lighting equipment Household appliances Electrical equipment Other electrical equipment and 3359 components
- 3361
- components Motor vehicles Motor vehicle bodies and trailers Motor vehicle parts Aerospace products and parts Railroad rolling stock Ship and boat building Other transportation equipment Euroiture and related products 3362 3363
- 3364
- 3365 3366
- 3369
- 3370 3391 Furniture and related products Medical equipment and supplies
- 3399 Other miscellaneous manufacturing

#### Wholesale Trade, Durable Goods

- Motor vehicles and motor vehicle 4231
- 4232
- Furniture and home furnishing Lumber and other construction materials 4233 4234 Lumber and other construction materia Professional and commercial equipment and supplies Metal and mineral (except petroleum) Electrical and electronic goods Hardware, and plumbing and heating equipment and supplies Machinery, equipment, and supplies Miscellaneous durable goods
- 4235
- 4236
- 4237
- 4238 4239

# Wholesale Trade, Nondurable Goods 4241 Paper and paper product 4242 Drugs and druggists' sundries 4243 Apparel, piece goods, and notions 4244 Grocery and related product 4245 Forcer product raw motions

- 4245
- 4246
- 4247
- 4248
- Farm product raw material Chemical and allied products Petroleum and petroleum products Beer, wine, and distilled alcoholic beverage Miscellaneous nondurable goods 4249

#### Wholesale Trade, Electronic Markets and Agents and Brokers

- 4251
- Wholesale electronic markets and agents and brokers

#### **Retail Trade**

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4461 4471

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Information

- 4410 4420
- Motor vehicle and parts dealers Furniture and home furnishings Electronics and appliance 4431
- equipment and supplies dealers Food and beverage 4440

Nonstore retailers

Air transportation Rail transportation

Truck transportation

Health and personal care Gasoline stations

Miscellaneous store retailers

**Transportation and Warehousing** 

Petroleum tanker operations Other water transportation

Transit and ground passenger transportation

Petroleum storage for hire

Other warehousing and storage

Newspaper, periodical, book, and directory publishers Software publishers

Motion picture and video industries

Sound recording industries Radio and television broadcasting

Pipeline transportation of crude oil, refined

Petroleum products, and natural gas Other pipeline transportation Scenic and sightseeing transportation Support activities for transportation Couriers and messengers

Clothing and clothing accessories Sporting goods, hobby, book, and music General merchandise