DEPARTMENT OF COMMERCE
Bureau of Industry and Security
15 CFR Part 774
The Aircraft Control List

CFR Correction
In Title 15 of the Code of Federal Regulations, Parts 300 to 799, revised as of January 1, 2011, on page 704, in Supplement No. 1 of Part 774, ECCN 1E001 is amended by removing the first entry in the table under Reasons for control for NS Column 1 and adding an entry following the remaining NS Column 1 entry that reads “NS applies to “technology” for items controlled by 1A004......NS Column 2”.

SUMMARY: This final rule amends regulations of the Department of Commerce’s Bureau of Economic Analysis (BEA) to set forth the reporting requirements for the 2012 BE–12 Benchmark Survey of Foreign Direct Investment in the United States. The BE–12 survey is conducted every five years; the prior survey covered 2007. The benchmark survey covers the universe of foreign direct investment in the United States, and is BEA’s most detailed survey of such investment.

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SUPPLEMENTARY INFORMATION: On September 21, 2011, BEA published a notice of proposed rulemaking that set forth revised reporting criteria for the BE–12, Benchmark Survey of Foreign Direct Investment in the United States (76 FR 58420–58424). No comments on the proposed rule were received. Thus the proposed rule is adopted without change. This final rule amends 15 CFR 806.17 to set forth the reporting requirements for the BE–12, Benchmark Survey of Foreign Direct Investment in the United States.

The BEA conducts the BE–12 survey under the authority of the International Investment and Trade in Services Survey Act (22 U.S.C. 3101–3108), hereinafter, “the Act.” Section 3103(b) of the Act provides that “with respect to foreign direct investment in the United States, the President shall conduct a benchmark survey covering year 1980, a benchmark survey covering year 1987, and benchmark surveys covering every fifth year thereafter.”

The benchmark survey covers the universe of foreign direct investment in the United States in terms of value, and is BEA’s most detailed survey of such investment. Foreign direct investment in the United States is defined as the ownership or control, directly or indirectly, by one foreign person (foreign parent) of ten 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.

The purpose of the benchmark survey is to obtain universe data on the financial and operating characteristics of U.S. affiliates, and on positions and transactions between U.S. affiliates and their foreign parent groups (which are defined to include all foreign parents and foreign affiliates of foreign parents). These data are needed to measure the size and economic significance of foreign direct investment in the United States, measure changes in such investment, and assess its impact on the U.S. economy. Such data are generally found in enterprise-level accounting records of respondent companies. These data are used to derive current universe estimates of direct investment from sample data collected in other BEA surveys in nonbenchmark years. In particular, they serve as benchmarks for