

**MANDATORY — CONFIDENTIAL\***

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

## (Report for Establishment of a New U.S. Business Enterprise)

If you received a letter from BEA with a Lead ID, please enter it here:

005 3

**Electronic filing:** Go to [www.bea.gov/efile](http://www.bea.gov/efile) for details

**Fax reports to:** (301) 278-9504

**Mail reports to:** U.S. Department of Commerce  
Bureau of Economic Analysis  
Direct Investment Division, BE-49(NI)  
4600 Silver Hill Road  
Washington, DC 20233

**Deliver reports to:** U.S. Department of Commerce  
Bureau of Economic Analysis  
Direct Investment Division, BE-49(NI)  
4600 Silver Hill Road  
Washington, DC 20746

**Assistance:** E-mail: [be13@bea.gov](mailto:be13@bea.gov)  
Telephone: (301) 278-9419  
Copies of form: [www.bea.gov/be13](http://www.bea.gov/be13)

**Name and mailing address of U.S. Business Enterprise**

010	Company Name 1		
011	In Care Of 1		
012	Attention 1		
013	Street 1 1		
014	Street 2 1		
015	City 1	State 2	Zip 3
	Country 4		

**Due date:** No later than 45 calendar days after the new legal entity is established.

**WHO MUST REPORT**

A BE-13B report must be filed by a U.S. business enterprise when a foreign entity, or an existing U.S. affiliate of a foreign entity, establishes a new legal entity in the United States, and

- (1) The projected total cost to establish and fully operationalize the new legal entity is greater than \$3 million, and
- (2) the foreign entity owns 10 percent or more of the new business enterprise's voting interest (directly, or indirectly through an existing U.S. affiliate).

**REPORT:**

- Creation of a new legal entity whether incorporated or unincorporated, including a branch.
- Construction of real estate intended for lease or sale.  
If the construction is for purposes of an expansion, see the instructions for reporting as an expansion on Form BE-13D.
- Creation of a new legal entity even if it does not have physical operations.
- Purchase of U.S. real estate including land, or rights to land, on which you intend to perform construction.  
If the construction is for purposes of an expansion, see the instructions for reporting as an expansion on Form BE-13D.
- The establishment of the U.S. business enterprise's **first** location. If the newly created U.S. business enterprise will have multiple locations, report each subsequent location on Form BE-13D.

**DO NOT REPORT:**

- Purchase of U.S. real estate that is intended for lease or sale without significant added construction.  
This is deemed to be an acquisition of a U.S. business enterprise and should be reported on Form BE-13A.
- The creation of a holding company that is being set up with less than \$60 million, solely to acquire at least one target company within 180 days, and then will be dissolved.
- Establishment of a new legal entity created for the sole purpose of acquiring a single entity within 30 days after the establishment.  
Consolidate the new legal entity with the acquired entity in a single report on the BE-13A.
- Certain private funds are exempt from filing Form BE-13B.  
Review exemption criteria on page 3, question 1, response option 5 of Form BE-13 Claim for Exemption.

**OTHER BE-13 FORMS**

Go to [www.bea.gov/be13](http://www.bea.gov/be13) for more information about other BE-13 forms.

Form BE-13A covers certain acquisitions of a U.S. business enterprise by a foreign entity.

Form BE-13D covers certain expansions of operations of existing U.S. affiliates.

Form BE-13E covers cost updates for previously filed Form BE-13B or BE-13D.

Form BE-13 Claim for Exemption covers certain transactions that are not required to be filed on Forms BE-13A, BE-13B, and BE-13D.

\*See page 11 for penalties and confidentiality statements.

## BE-13B – Instructions and Contact Information

### INSTRUCTIONS

\$ 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. EXAMPLE .....

—	9	8	.	7	%
---	---	---	---	---	---

**Estimates:** If actual amounts are not available, supply estimates and specify in the notes section.

**Definitions:** Underlined items are defined on page 12.

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

Notes

### CONTACT INFORMATION

Provide information of person to consult about this report:

020	Name 1		
021	Street 1 1	Telephone Number 2 ( _ _ _ ) _ _ _ - _ _ _ _	Extension 3
022	Street 2 1	Fax Number 2 ( _ _ _ ) _ _ _ - _ _ _ _	
023	City 1	State 2	Zip 3
	E-mail Address 4		
	Country 5		

**NOTE:** BEA uses a Secure Messaging System to correspond with you via encrypted message to discuss questions relating to this form. We may use your e-mail address for survey-related announcements and to inform you about secure messages. When communicating with BEA by e-mail, please do not include any confidential business or personal information.

### CERTIFICATION

The undersigned official certifies that this report has been prepared in accordance with the applicable instructions, is complete, and is substantially accurate including estimates that may have been provided.

024	Signature of Authorized Official	Date	Telephone Number 1 ( _ _ _ ) _ _ _ - _ _ _ _	Extension 2
025	Name 1	Title 2	Fax Number 3 ( _ _ _ ) _ _ _ - _ _ _ _	

# BE-13B – New U.S. Business Enterprise Information

## NEW U.S. BUSINESS ENTERPRISE INFORMATION

### 1 Is the new U.S. business enterprise a holding company?

A holding company is a businesses engaged in holding the securities or financial assets of companies and enterprises for the purpose of owning a controlling interest in them or influencing their management decisions. Businesses in this industry do not manage the day-to-day operations of the firms whose securities they hold.

100 1  Yes – Select every statement below that applies to the new U.S. business enterprise (**holding company**):

- 2 A  It is being set up solely for the purpose of acquiring or establishing at least one other U.S. business enterprise.
- 3 B  The initial capitalization, including debt and equity, of the **holding company** is \$60 million or less.
- 4 C  The acquisition or establishment is occurring within 180 days of the creation of the **holding company**.
- 5 D  The **holding company** will be dissolved after the acquisition or establishment.

If all four options A–D were selected, then the new U.S. business enterprise (**holding company**) can file a Form BE-13 Claim for Exemption instead of completing the rest of this form.

- 6 E  The new U.S. business enterprise (**holding company**) was established solely to make a single acquisition within 30 days.
- Do not file this establishment on a Form BE-13B, report it with the acquisition on a single Form BE-13A.

No

1 2

Month Day Year

1  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_\_

### 2 What date was the new U.S. business enterprise established?

101

### 3 What is the total expected cost to all foreign parents' affiliated foreign groups (AFG, see EXAMPLE 1) and their U.S. affiliates to set up the new U.S. business enterprise?

#### INCLUDE:

- Actual expenditures from past years and expected expenditures for current and future years.
- The cost of voting interest and non-voting equity interest.
- All expenses to set up the new business including, but not limited to: land; property, plant and equipment expenditures; intellectual property rights; fees, taxes, permits, licenses, and miscellaneous other costs.

#### EXCLUDE:

- The cost to any U.S. or foreign entity that is not affiliated with any of the foreign parents.

\$ Bil. Mil. Thous. Dols.

1 \_\_\_\_\_ 000

Total cost ..... 102 \_\_\_\_\_

#### Affiliated foreign group means:

- (1) the foreign parent,
- (2) 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
- (3) any foreign entity, proceeding down the ownership chain(s) of each of these members, which is owned more than 50 percent by the member above it.

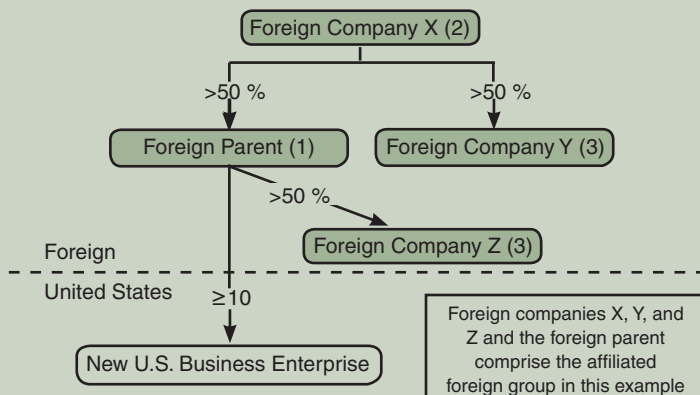
(As used here, "entity" is synonymous with "person," as that term is used in the broad legal sense.)

**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 enterprise.

**Business enterprise** means any organization, association, branch, or venture that exists for profit-making purposes or to otherwise secure economic advantage, and ownership of any real estate that is not held for personal use.

**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).

#### EXAMPLE 1. Affiliated Foreign Group



**Foreign parent** is the FIRST entity incorporated outside the United States, proceeding up a chain of ownership, that has 10 percent or more voting interest (directly, or indirectly through existing U.S. affiliates) in the new U.S. business enterprise.

**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.

- In a **general** or **limited partnership**, voting interest is presumed to be divided evenly between the general partners, and limited partners are presumed to have zero voting interest, unless otherwise stated in the partnership agreement.
- In the case of a **limited liability corporation** (LLC), voting interest is presumed to be divided equally between the members (owners), unless otherwise stated in the articles of organization or in the operating agreement.

# BE-13B – New U.S. Business Enterprise Information

**4** What is the legal name of the new U.S. business enterprise?

105 1

**5** What is the employer identification number of the new U.S. business enterprise used to file income and payroll taxes?

109 Primary  Other

**6** Is the address of the new U.S. business enterprise different from the address on the cover page?

500 1  Yes – Provide address: 2  No

501 Street 1  Street 2

502 City  State  Zip

### OWNERSHIP INFORMATION FOR THE NEW U.S. BUSINESS ENTERPRISE

As of the establishment date reported in **2** :

**7** How many **foreign parents** (direct, and indirect through U.S. affiliates) does the new U.S. business enterprise have?

Number of Foreign Parents .....180

**Foreign parent** is the FIRST entity incorporated outside the United States, proceeding up a chain of ownership, that has a 10 percent or more voting interest (directly, and/or indirectly through existing U.S. affiliates) in the new U.S. business enterprise.

**8** What are the names of all **foreign parents** and the percent of direct and indirect **voting interest** that each holds in the new U.S. business enterprise?

		Foreign Parents	DIRECT Voting Interest	INDIRECT Voting Interest, Through Existing U.S. Affiliates	TOTAL Voting Interest
191	1	<input style="width: 500px;" type="text"/>	2 _____ %	3 _____ %	4
192	1	<input style="width: 500px;" type="text"/>	2 _____ %	3 _____ %	4

If necessary, please list additional entries on a separate page.

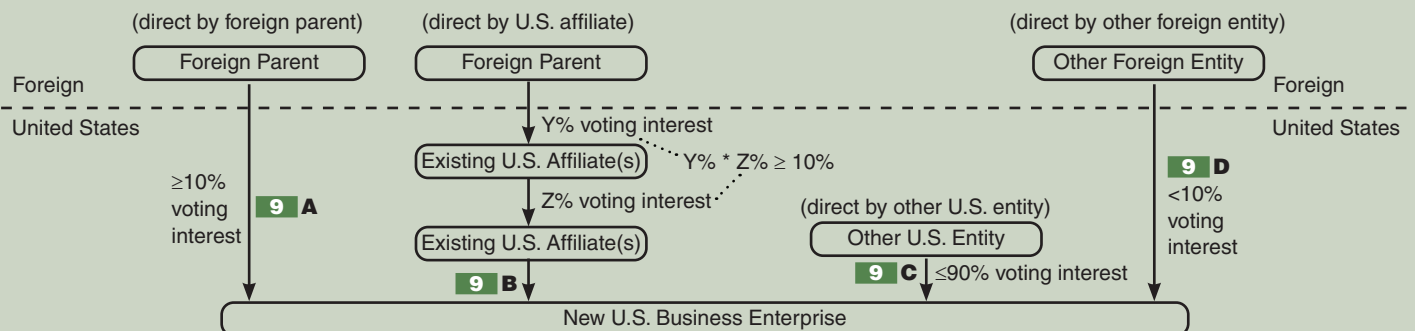
**9** What percent of **voting interest** in the new U.S. business enterprise (see EXAMPLE 2) is held:

	Voting Interest
<b>A.</b> DIRECTLY by <b>foreign parents</b> ? (This is the sum of direct <b>voting interest</b> provided in <b>8</b> ) .....	150 <input style="width: 50px;" type="text"/> _____ %
<b>B.</b> DIRECTLY by existing U.S. <b>affiliates</b> of the <b>foreign parents</b> ? .....	151 <input style="width: 50px;" type="text"/> _____ %
<b>C.</b> DIRECTLY by other U.S. <b>entities</b> ? .....	152 <input style="width: 50px;" type="text"/> _____ %
<b>D.</b> DIRECTLY by other <b>foreign entities</b> ? (Each holding less than 10 percent <b>voting interest</b> in the new U.S. <b>business enterprise</b> .) .....	153 <input style="width: 50px;" type="text"/> _____ %

**Total of 9 A through 9 D must sum to 1 0 0 . 0 %**

**EXAMPLE 2.**

**Different Types of Ownership**



## BE-13B – Existing U.S. Affiliates

### EXISTING U.S. AFFILIATES

As of the establishment date reported in **2**:

**10** Does any one existing U.S. affiliate DIRECTLY own more than 50 percent of the voting interest in the new U.S. business enterprise?

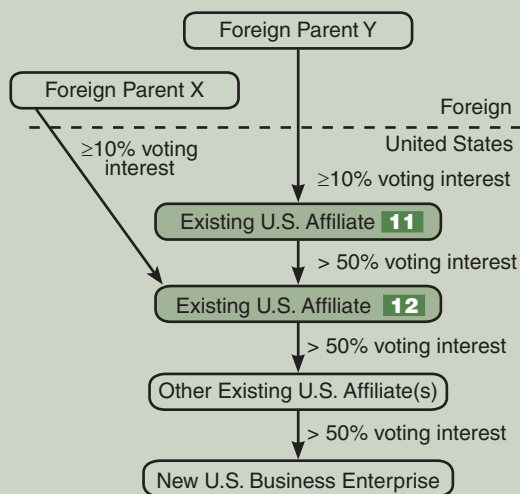
- 230 <sup>1</sup> **1**  Yes – Please provide an organizational chart, as of the date of the acquisition. CONTINUE to **11**.
- <sup>1</sup> **2**  No – SKIP to **13**.

**11** What are the legal name, address, and BEA ID (if it has one) of the existing U.S. affiliate that, proceeding up the ownership chain from the new U.S. business enterprise, is first that is NOT more than 50 percent directly owned by another existing U.S. affiliate?

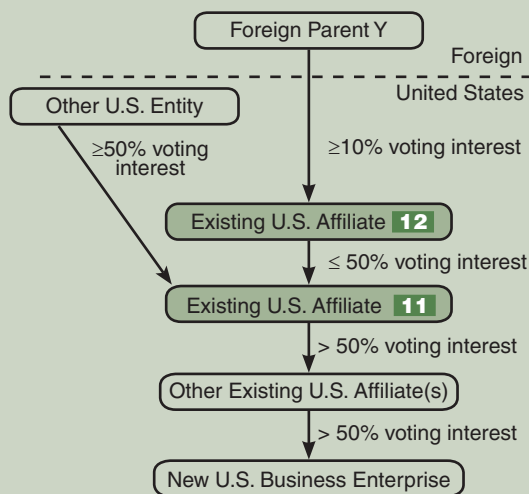
See EXAMPLES 3 and 4.

231 Name 1		
Street 1 2		Street 2 3
City 4	State 5	Zip 6
Country 7		
BEA ID 8		

**EXAMPLE 3. Identifying the U.S. Affiliates**



**EXAMPLE 4. Identifying the U.S. Affiliates**



**12** What is the legal name, address, and BEA ID (if it has one) of the existing U.S. affiliate that, proceeding up the ownership chain from the new U.S. business enterprise, is first that is at least 10 percent DIRECTLY owned by a foreign parent?

See EXAMPLES 3 and 4 above.

If it is the same existing U.S. affiliate as in **11**, write "same" in the name field.

232 Name 1		
Street 1 2		Street 2 3
City 4	State 5	Zip 6
Country 7		
BEA ID 8		

**NOTE:** If there is more than one foreign parent (direct, and/or indirect through existing U.S. affiliates), complete **13** through **21** for each additional foreign parent on separate pages. Additional copies of these pages may be downloaded from [www.bea.gov/be13](http://www.bea.gov/be13).

**NOTE:** If there is more than one foreign parent (direct and/or indirect through existing U.S. affiliates), complete **13** through **21** for each additional foreign parent on separate pages. Additional copies of these pages may be downloaded from [www.bea.gov/be13](http://www.bea.gov/be13).

**IDENTIFYING THE FOREIGN PARENT**

**13 What is the name of this foreign parent?** See Example 5.

If this foreign parent is an individual who owns 10 percent of the voting interest (directly, and/or indirectly through existing U.S. affiliates) in the acquired U.S. entity, write “individual” instead of the individual’s name.

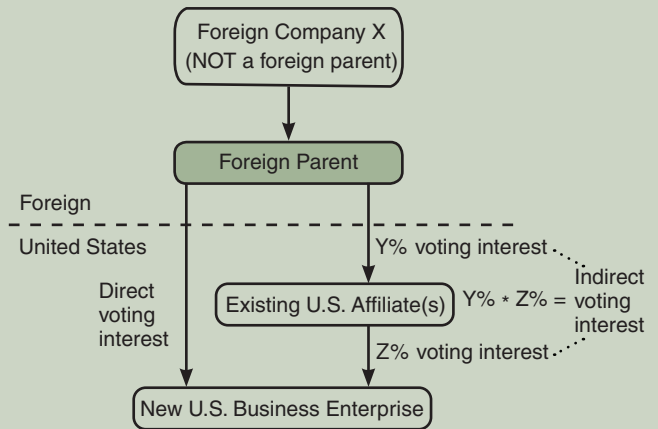
201 1

**Foreign parent** is the FIRST entity incorporated outside the United States, proceeding up a chain of ownership, that has 10 percent or more voting interest (directly, or indirectly through existing U.S. affiliates) in the new U.S. business enterprise.

**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.

- In a **general or limited partnership**, voting interest is presumed to be divided evenly between the general partners, and limited partners are presumed to have zero voting interest, unless otherwise stated in the partnership agreement.
- In the case of a **limited liability corporation (LLC)**, voting interest is presumed to be divided equally between the members (owners), unless otherwise stated in the articles of organization or in the operating agreement.

**EXAMPLE 5. Direct and Indirect Voting Interest**



**14 What is this foreign parent’s country of incorporation?**

If the foreign parent is an individual or government, enter the country of residence. For individuals who do not reside in their country of citizenship, please follow the guidelines for country of residence on page 12.

Country of Foreign Parent

BEA USE ONLY
1

202

**15 What is this foreign parent’s industry code?**

- Select the category below which best describes the PRIMARY activity of the SINGLE entity named as the foreign parent. (The codes are also listed on page 11.)
- DO NOT base the code on the worldwide sales of all consolidated subsidiaries of the foreign parent.
- If the UBO is an individual, select the category “05 - Individual.”

203 1

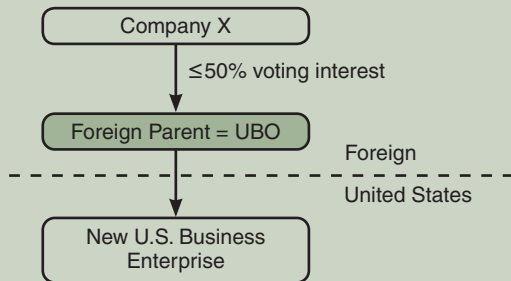
**IDENTIFYING THE ULTIMATE BENEFICIAL OWNER (UBO)**

**16** Is this foreign parent also the ultimate beneficial owner (UBO)? (See EXAMPLES 6 and 7)

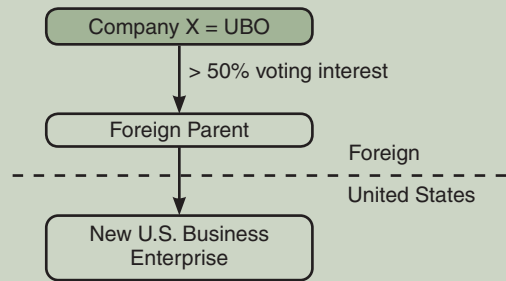
- The UBO is the entity, proceeding up the ownership chain that includes the foreign parent, whose voting interest is not more than 50 percent owned by another entity.
- If the foreign parent is owned or controlled more than 50 percent by another entity, then the foreign parent is NOT the UBO.

210 1  Yes — SKIP to **19**  
 1 2  No

**EXAMPLE 6. Foreign Parent is UBO**



**EXAMPLE 7. Foreign Parent is Not UBO**



**17** What is the name of the UBO?

If the UBO is an individual, write “individual” instead of the individual’s name.

211 1

**18** What is the UBO’s country of incorporation?

If the UBO is an individual or government, provide the country of residence. For individuals who do not reside in their country of citizenship, please follow the guidelines for country of residence on page 12.

Country of UBO

1  1  
 212

**19** What is the UBO’s industry code?

- Select the category below which best reflects the consolidated worldwide sales of the UBO, including all majority-owned subsidiaries. (The codes are also listed on page 11.)
- If the UBO is an individual, select the category “05 - Individual.”
- Do not use code 14 unless you receive permission from BEA.

213 1

**ESTABLISHMENT INFORMATION**

**20** What is the total expected cost to this foreign parent's affiliated foreign group (see EXAMPLE 8) and its U.S. affiliates to establish the new U.S. business enterprise?

- If there is only one foreign parent, this is the same as the total cost reported in **3**.
- If there is more than one foreign parent, the sum of the cost for each should match the total reported in **3**.

**INCLUDE**

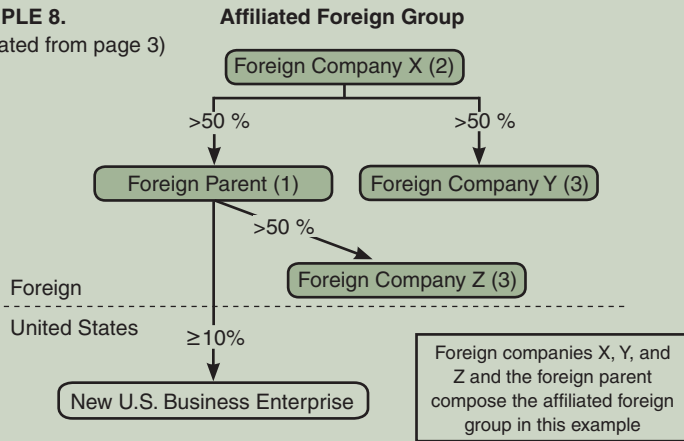
- Actual expenditures from past years and expected expenditures for current and future years.
- The cost of voting interest and non-voting equity interest.

**EXCLUDE**

- The cost to any U.S. entity that is not affiliated with this foreign parent.

	\$ Bil.	Mil.	Thous.	Dols.
				1
Total cost to this <u>foreign parent's AFG</u> and <u>U.S. affiliates</u> . . . . . 320				000

**EXAMPLE 8.**  
(Repeated from page 3)



**Affiliated foreign group** means:

- (1) the foreign parent,
- (2) 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
- (3) any foreign entity, proceeding down the ownership chain(s) of each of these members, which is owned more than 50 percent by the member above it.

(As used here, "entity" is synonymous with "person," as that term is used in the broad legal sense.)

**DEBT AND EQUITY BETWEEN THE AFFILIATED FOREIGN GROUP (AFG) AND U.S. AFFILIATES**

**21** For the establishment of the new U.S. business enterprise, how much did:

	\$ Bil.	Mil.	Thous.	Dols.
A. This <u>affiliated foreign group</u> DIRECTLY invest in the new U.S. business enterprise as cash or equity? . . . . . 381				1 000
B. This <u>affiliated foreign group</u> DIRECTLY loan to the new U.S. business enterprise? . . . . . 382				1 000
C. This <u>affiliated foreign group</u> invest in existing U.S. <u>affiliates</u> as cash or equity? . . . . . 383				1 000
D. This <u>affiliated foreign group</u> loan to existing U.S. <u>affiliates</u> ? . . . . . 384				1 000

**NOTE:** If there is more than one foreign parent (direct, and/or indirect through existing U.S. affiliates), complete **13** through **21** for each additional foreign parent on separate pages. Additional copies of these pages may be downloaded from [www.bea.gov/be13](http://www.bea.gov/be13).



## BE-13B – Financial and Operating Information

### FINANCIAL AND OPERATING INFORMATION FOR THE NEW U.S. BUSINESS ENTERPRISE

- Report projections for the first **full** fiscal year of operations.
- Use projections made in the course of planning the investment if available; otherwise give best estimate.
- If the first fiscal year is less than 12 months, provide annualized numbers for **25** and **26**.

Month    Day    Year

1  
 \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**22** What is the ending date for the new U.S. business enterprise's first fiscal year of operations? . . . . . 400

As of the date reported in **22**, what are the new U.S. business enterprise's projected:

\$    Bil.    Mil.    Thous.    Dols.

**23** Assets? . . . . . 401

1  
 \_\_\_\_\_ 000

**24** Liabilities? . . . . . 402

1  
 \_\_\_\_\_ 000

**25** Annual sales or gross operating revenues? . . . . . 403

1  
 \_\_\_\_\_ 000

**26** Annual net income (loss) after provision for income taxes? . . . . . 404

1  
 \_\_\_\_\_ 000

**27** What is the projected number of employees of the new business enterprise when it is fully operating?

- Include all full-time and part-time employees expected to be on the payroll.
- Exclude contract workers and other workers not expected to be carried on the payroll.
- If the new U.S. business enterprise's activity will involve large seasonal variations, report a number that represents an average over a year.

Projected Number of Employees . . . . . 405

1  
 \_\_\_\_\_

**28** How many employees did the new U.S. business enterprise have at the time of this filing?

- Include all full-time and part-time employees on the payroll.
- Exclude contract workers and other workers not carried on the payroll.

Current Number of Employees . . . . . 506

1  
 \_\_\_\_\_

**29** What will be the major activities of the new U.S. business enterprise when it is fully operating? Check all that apply.

- |   |  |
|---|--|
| <p>420 <sup>1</sup> <input type="checkbox"/> Producer of goods</p> <p><sup>2</sup> <input type="checkbox"/> Seller of goods it does not produce</p> <p><sup>3</sup> <input type="checkbox"/> Producer or distributor of information</p> | <p><sup>4</sup> <input type="checkbox"/> Provider of services</p> <p><sup>5</sup> <input type="checkbox"/> Real estate</p> <p><sup>6</sup> <input type="checkbox"/> Other—Specify: _____</p> |
|---|--|

**30** What are the major products and/or services involved in the activities identified in **29**?

If a product, also state what is done to it, i.e., whether it is mined, manufactured, sold at wholesale, transported, packaged, etc.

421 \_\_\_\_\_

**31** What will be the new U.S. business enterprise's four-digit industry classification?

Select the category below which best describes the industry classification in which the new U.S. business enterprise will have the largest amount of sales or gross operating revenues. (See page 13 for list or go to [www.bea.gov/NAICS\\_2022](http://www.bea.gov/NAICS_2022) for detailed descriptions.)

423 1 \_\_\_\_\_

**32** In what state is the new U.S. business enterprise located?

- Select the state where the greatest number of employees will be based when fully operational.
- Only select the state of incorporation if there are no employees and no physical location.

422 1 \_\_\_\_\_

**33** Will the new U.S. business enterprise conduct research and development activities when it is fully operating?

- 424 <sup>1</sup>  Yes
- <sup>2</sup>  No

## BE-13B – Project Information

### PROJECT INFORMATION

**34** Is the new U.S. business enterprise currently under construction?

508

- 1  Yes
- 2  No, construction has yet to begin
- 3  No, construction is complete – Provide completion date: .....
- 4  No, the project has been canceled
- 5  No, construction is not required for this project

Month Day Year

2

\_\_\_ / \_\_\_ / \_\_\_\_\_

For **35** and **36**, break down the total expected cost to set up the new U.S. business enterprise by type and by fiscal year.

	\$	Bil.	Mil.	Thous.	Dols.
<b>Total expected cost reported in 3</b>					000
<b>35</b> How much of the total expected cost to set up the new U.S. business enterprise is for:					
A. Land? .....					000
B. Property, plant, and equipment? Include construction. Exclude land. ....					000
C. Intellectual property rights? .....					000
D. Fees, taxes, permits, licenses? .....					000
E. Other costs? Describe in notes section on page 2. ....					000
<b>Sum of 35 A through 35 E:</b>					000
This should match the total expected cost reported in <b>3</b>					
The difference is currently:					
					000

**36** In which fiscal years will the total expected cost be incurred and how much each year?

- Only include leases until the business is fully operating.
- Provide actual cash or in-kind outlays, not depreciation.
- Use the new U.S. business enterprise's fiscal calendar for determining year.

	Year	Bil.	Mil.	Thous.	Dols.
550	1 _____				000
551	1 _____				000
552	1 _____				000
553	1 _____				000
554	1 _____				000
555	1 _____				000
556	1 _____				000
557	1 _____				000
558	1 _____				000
559	1 _____				000
<b>Sum of 36 A through 36 E:</b>					000
This should match the total expected cost reported in <b>3</b>					
The difference is currently:					
					000

NOTE: BEA will request updated project information for three years or until final data are collected if project is completed within three years.

**RETURN TO COVER PAGE FOR FILING INSTRUCTIONS**

## SURVEY INFORMATION

**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 15 CFR Part 801.

**Penalties:** Whoever fails to report may be subject to a civil penalty of not less than \$4,450, and not more than \$44,539, 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 knowingly 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 BE-13B form is estimated to average 2.2 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, 4600 Silver Hill Road, Washington, DC 20233; 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. Per the Cybersecurity Enhancement Act of 2015, your data are protected from cybersecurity risks through security monitoring of the BEA information systems.

## FOREIGN PARENT AND UBO INDUSTRY CODES

Note: “ISI codes” are International Surveys Industry codes, as given in the *Guide to Industry Classifications for International Surveys, 2022*, available at [www.bea.gov/naics\\_2022](http://www.bea.gov/naics_2022). See the Summary of Industry Classifications on page 13 of this form.

- |   |   |
|---|---|
| <b>01</b> Government and government-owned or -sponsored enterprise, or quasi-government organization or agency                              | <b>17</b> Information (ISI codes 5121–5192)   |
| <b>02</b> Pension fund — Government run   | <b>18</b> Professional, scientific, and technical services (ISI codes 5411–5419)    |
| <b>03</b> Pension fund — Privately run  | <b>19</b> Other services<br>(ISI codes 1150, 2132, 2133, 5321, 5329, and 5611–8130) |
| <b>04</b> Estate, trust, or nonprofit organization  | <b>Manufacturing, including fabricating, assembling, and processing of goods:</b>   |
| <b>05</b> Individual  | <b>20</b> Food (ISI codes 3111–3119)  |
| <b>Private business enterprise, investment organization, or group engaged in:</b>   | <b>21</b> Beverages and tobacco products (ISI codes 3121 and 3122)                  |
| <b>06</b> Insurance (ISI codes 5242, 5243, 5249)  | <b>22</b> Pharmaceuticals and medicine (ISI code 3254)                              |
| <b>07</b> Agriculture, forestry, fishing and hunting (ISI codes 1110–1140)  | <b>23</b> Other chemicals (ISI codes 3251–3259, except 3254)                        |
| <b>08</b> Mining (ISI codes 2111–2127)  | <b>24</b> Nonmetallic mineral products (ISI codes 3271–3279)                        |
| <b>09</b> Construction (ISI codes 2360–2380)  | <b>25</b> Primary and fabricated metal products (ISI codes 3311–3329)               |
| <b>10</b> Transportation and warehousing (ISI codes 4810–4939)  | <b>26</b> Computer and electronic products (ISI codes 3341–3346)                    |
| <b>11</b> Utilities (ISI codes 2211–2213)   | <b>27</b> Machinery (ISI codes 3331–3339)   |
| <b>12</b> Wholesale and retail trade (ISI codes 4231–4596)  | <b>28</b> Electrical equipment, appliances and components<br>(ISI codes 3351–3359)  |
| <b>13</b> Banking, including bank holding companies<br>(ISI codes 5221 and 5229)  | <b>29</b> Motor vehicles and parts (ISI codes 3361–3363)                            |
| <b>14</b> Holding companies, excluding bank holding companies<br>(ISI codes 5512 and 5513)  | <b>30</b> Other transportation equipment (ISI codes 3364–3369)                      |
| <b>15</b> Other finance<br>(ISI codes 5223, 5224, 5231, 5238, that part of ISI code 5252 that is not estates and trusts, and ISI code 5331) | <b>31</b> Other manufacturing<br>(ISI codes 3130–3231, 3261, 3262, 3370–3399)       |
| <b>16</b> Real estate (ISI code 5310)   | <b>32</b> Petroleum manufacturing, including integrated petroleum and petroleum     |

## 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

- (1) the foreign parent,
- (2) 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
- (3) 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.

**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 that is not held for personal use.

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

- (1) 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.

**Direct investment** means the ownership or control, directly or indirectly, by one entity of 10 percent or more of the voting interest in a business enterprise.

**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** is the FIRST entity incorporated outside the United States, proceeding up a chain of ownership, that has 10 percent or more voting interest (directly, and/or indirectly through existing U.S. affiliates) in the new U.S. business enterprise.

**Research and development (R&D)** is planned, creative work aimed at discovering new knowledge or developing new or significantly improved goods and services. This includes

- (1) activities aimed at acquiring new knowledge or understanding without specific immediate commercial application or use (basic research);
- (2) activities aimed at solving a specific problem or meeting a specific commercial objective (applied research); and
- (3) systematic use of research and practical experience to produce new or significantly improved goods, services, or processes (development).

R&D does NOT include expenditures for costs for routine product testing, quality control, and technical services unless they are an integral part of an R&D project; market research; efficiency surveys or management studies; literary, artistic, or historical projects, such as films, music, or books and other publications; prospecting or exploration for natural resources.

**Ultimate beneficial owner (UBO)** means the entity, proceeding up the ownership chain that includes the foreign parent, which is not more than 50 percent owned or controlled by another entity.

**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.

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

**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.

- In a **general** or **limited partnership**, voting interest is presumed to be divided evenly between the general partners, and limited partners are presumed to have zero voting interest, unless otherwise stated in the partnership agreement.
- In the case of a **limited liability corporation (LLC)**, voting interest is presumed to be divided equally between the members (owners), unless otherwise stated in the articles of organization or in the operating agreement.

Summary of Industry Classifications (ISI codes) – For a full explanation of each code see [www.bea.gov/naics\\_2022](http://www.bea.gov/naics_2022)

**Agriculture, Forestry, Fishing, and Hunting**

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

**Mining**

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

**Utilities**

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

**Construction**

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

**Manufacturing**

3111 Animal food manufacturing  
 3112 Grain and oilseed milling  
 3113 Sugar and confectionery products  
 3114 Fruit and vegetable preserving and specialty foods  
 3115 Dairy products  
 3116 Meat products  
 3117 Seafood product preparation and packaging  
 3118 Bakeries and tortilla manufacturing  
 3119 Other food products  
 3121 Beverages  
 3122 Tobacco  
 3130 Textile mills  
 3140 Textile product mills  
 3150 Apparel  
 3160 Leather and allied products  
 3210 Wood products  
 3221 Pulp, paper, and paperboard mills  
 3222 Converted paper products  
 3231 Printing and related support activities  
 3242 Integrated petroleum refining and extraction  
 3243 Petroleum refining without extraction  
 3244 Asphalt and other petroleum and coal products  
 3251 Basic chemicals  
 3252 Resins, synthetic rubbers, and artificial and synthetic fibers and filaments  
 3253 Pesticides, fertilizers, and other agricultural chemicals  
 3254 Pharmaceuticals and medicines  
 3255 Paints, coatings, and adhesives  
 3256 Soap, cleaning compounds, and toilet preparations  
 3259 Other chemical products and preparations  
 3261 Plastics products  
 3262 Rubber products  
 3271 Clay products and refractories  
 3272 Glass and glass products  
 3273 Cement and concrete products  
 3274 Lime and gypsum products  
 3279 Other nonmetallic mineral products  
 3311 Iron and steel mills  
 3312 Steel products from purchased steel  
 3313 Alumina and aluminum production and processing  
 3314 Nonferrous metal (except aluminum) production and processing  
 3315 Foundries  
 3321 Forging and stamping  
 3322 Cutlery and hand tools  
 3323 Architectural and structural metals  
 3324 Boilers, tanks, and shipping containers  
 3325 Hardware  
 3326 Spring and wire products  
 3327 Machine shop products, turned products, and screws, nuts, and bolts  
 3328 Coating, engraving, heat treating, and allied activities  
 3329 Other fabricated metal products  
 3331 Agriculture, construction, and mining machinery  
 3332 Industrial machinery  
 3333 Commercial and service industry machinery  
 3334 Ventilation, heating, air-conditioning, and commercial refrigeration equipment  
 3335 Metalworking machinery

3336 Engines, turbines, and power transmission equipment  
 3339 Other general purpose machinery  
 3341 Computer and peripheral equipment  
 3342 Communications equipment  
 3343 Audio and video equipment  
 3344 Semiconductors and other electronic components  
 3345 Navigational, measuring, electromedical, and control instruments  
 3346 Manufacturing and reproducing magnetic and optical media  
 3351 Electric lighting equipment  
 3352 Household appliances  
 3353 Electrical equipment  
 3359 Other electrical equipment and components  
 3361 Motor vehicles  
 3362 Motor vehicle bodies and trailers  
 3363 Motor vehicle parts  
 3364 Aerospace products and parts  
 3365 Railroad rolling stock  
 3366 Ship and boat building  
 3369 Other transportation equipment  
 3370 Furniture and related products  
 3391 Medical equipment and supplies  
 3399 Other miscellaneous manufacturing

**Wholesale Trade, Durable Goods**

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

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

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

4251 Wholesale trade agents and brokers

**Retail Trade**

4410 Motor vehicle and parts dealers  
 4440 Building material and garden equipment and supplies dealers  
 4450 Food and beverage retailers  
 4491 Furniture and home furnishings retailers  
 4492 Electronics and appliance retailers  
 4550 General merchandise retailers  
 4561 Health and personal care retailers  
 4571 Gasoline stations  
 4572 Fuel dealers  
 4580 Clothing, clothing accessories, shoe, and jewelry retailers  
 4591 Sporting goods, hobby, and musical instrument retailers  
 4592 Book retailers and news dealers  
 4596 Miscellaneous retailers

**Transportation and Warehousing**

4810 Air transportation  
 4821 Rail transportation  
 4833 Petroleum tanker operations  
 4839 Other water transportation  
 4840 Truck transportation  
 4850 Transit and ground passenger transportation  
 4863 Pipeline transportation of crude oil, refined petroleum products, and natural gas  
 4868 Other pipeline transportation  
 4870 Scenic and sightseeing transportation  
 4880 Support activities for transportation  
 4920 Couriers and messengers  
 4932 Petroleum storage for hire  
 4939 Other warehousing and storage

**Information**

5121 Motion picture and video industries  
 5122 Sound recording industries  
 5131 Newspaper, periodical, book, and directory publishers  
 5132 Software publishers  
 5161 Radio and television broadcasting stations  
 5162 Media streaming distribution services, social networks, and other media networks and content providers  
 5171 Wired and wireless telecommunications (except satellite)  
 5174 Satellite telecommunications  
 5178 All other telecommunications  
 5182 Computing infrastructure providers, data processing, web hosting, and related services  
 5192 Web search portals, libraries, archives, and other information services

**Finance and Insurance**

5221 Depository credit intermediation (Banking)  
 5223 Activities related to credit intermediation  
 5224 Non-depository credit intermediation, except branches and agencies  
 5229 Nondepository branches and agencies  
 5231 Securities and commodity contracts intermediation and brokerage  
 5238 Other financial investment activities and exchanges  
 5242 Agencies, brokerages, and other insurance related activities  
 5243 Insurance carriers, except direct life insurance carriers  
 5249 Direct life insurance carriers  
 5252 Funds, trusts, and other finance vehicles

**Real Estate and Rental and Leasing**

5310 Real estate  
 5321 Automotive equipment rental and leasing  
 5329 Other rental and leasing services  
 5331 Lessors of nonfinancial intangible assets, except copyrighted works

**Professional, Scientific, and Technical Services**

5411 Legal services  
 5412 Accounting, tax preparation, bookkeeping, and payroll services  
 5413 Architectural, engineering, and related services  
 5414 Specialized design services  
 5415 Computer systems design and related services  
 5416 Management, scientific, and technical consulting services  
 5417 Scientific research and development services  
 5418 Advertising, public relations, and related services  
 5419 Other professional, scientific, and technical services

**Management of Companies and Enterprises**

5512 Holding companies, except bank holding companies  
 5513 Corporate, subsidiary, and regional management offices

**Administrative and Support, Waste Management, and Remediation Services**

5611 Office administrative services  
 5612 Facilities support services  
 5613 Employment services  
 5614 Business support services  
 5615 Travel arrangement and reservation services  
 5616 Investigation and security services  
 5617 Services to buildings and dwellings  
 5619 Other support services  
 5620 Waste management and remediation services

**Educational Services**

6110 Educational services

**Health Care and Social Assistance**

6210 Ambulatory health care services  
 6220 Hospitals  
 6230 Nursing and residential care facilities  
 6240 Social assistance services

**Arts, Entertainment, and Recreation**

7110 Performing arts, spectator sports, and related industries  
 7121 Museums, historical sites, and similar institutions  
 7130 Amusement, gambling, and recreation industries

**Accommodation and Food Services**

7210 Accommodation  
 7220 Food services and drinking places

**Other Services**

8110 Repair and maintenance  
 8120 Personal and laundry services  
 8130 Religious, grantmaking, civic, professional, and similar organizations

**Public Administration**

9200 Public administration