

## **MANDATORY - CONFIDENTIAL\***

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

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

005 3

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

	Nan	ne and mailing address of U.S. Business Enterprise
Electronic filing:	Go to www.bea.gov/efile for details 010	Company Name
Fax reports to:	(301) 278-9504	In Care Of 1 to Care Of 1000565 Only.
rax reports to:	011	In Care Of 1 Care Of 1 Care Of 1 ONOSES OND Attention 1 S NO UTP 3E 1 Street 1 1 Attention 1 S NO UTP 3E 1 S NO UTP 3
Mail reports to:	U.S. Department of Commerce	1 and 10' ases denus
	Bureau of Economic Analysis	Attention is noutiport
	Direct investment Division, DE-49(NI)	i mis a puri at asport
	4600 Silver Hill Road Washington, DC 20233	follition are sinformed
	Washington, DC 20233	Street 1 at as a very e
Deliver reports to:	U.S. Department of Commerce	for entries guite
	Bureau of Economic Analysis	Street 2
	Direct Investment Division, BE-49(NI)	Nesonie
	4600 Silver Hill Road Solution Silver Hill Road Solution Silver Hill Road Solution Silver Hill Road Solution So	City State Zip
	Sumand, MD 201701 COVICE CO	orme
Assistance:	E-mail. be13@bea.gov	Country
	Telephone: (301) 278-9419	4
	Copies of form: www.bea.gov/be13	

Due date: No later than 45 calendar days after the acquisition is completed.

WHO MUST REPORT

A BE-13 report must be filed by a U.S. business enterprise when a foreign entity acquires all or part of the U.S. business enterprise, either directly, or indirectly through an existing U.S. affiliate, and

(1) the total cost of the acquisition is greater than \$3 million, and

(2) by this acquisition, at least 10 percent of the voting interest in the acquired entity is now held (directly, or indirectly through an existing U.S. affiliate) by the foreign entity.

**REPORT:** 

- Purchase of U.S. real estate (including land) that is intended for lease or sale without significant added construction.
- Establishment of a new U.S. business enterprise, that will not be dissolved, for the sole purpose of completely acquiring a single U.S. business enterprise within 30 days after the establishment. Consolidate the new U.S. business enterprise with the acquired U.S. business enterprise on a single BE-13A report.

## **DO NOT REPORT:**

- Purchase of U.S. real estate including land, or rights to land, on which you intend to perform construction. Report either as part of the
  establishment of a new U.S. affiliate (Form BE-13B) or as the expansion of an existing U.S. affiliate (Form BE-13D), whichever is applicable.
- Acquisition of additional voting interest in an existing U.S. affiliate in which a foreign entity already has a 10 percent voting interest. Report on Form BE-13 Claim for Exemption, only if contacted by BEA.
- Purchase of U.S. real estate to be held exclusively for personal use and not for profit-making purposes. Report on Form BE-13 Claim for Exemption, only if contacted by BEA.
- Certain private funds are exempt from filing Form BE-13A.
   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 for more information about other BE-13 forms.

Form BE-13B covers certain establishments of a new legal entity in the United States 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-13A – Instructions and Contact Information**

INSTRUCTIONS Monetary Values: Report in U.S. dollars roun EXAMPLE – If amount is \$1,334,891.00, report		· · · ·	·	\$ Bil. Mil. Thous. Dols. 1 335,000
				1 0.9.7%
Percentages: Report ownership percentages	to a tentl	h of one percent. E	XAMPLE	%
Estimates: If actual amounts are not available	, supply	estimates and spec	sify in the notes section.	
Definitions: Underlined terms are defined on p	oage 12.			
Retention of copies: Retain a copy of each	BE-13 re	port for three years	beyond the report's original due date.	
Notes	nical ovide Cu govil	survey for ad for info ment surv nelplinform	e beyond the report's original due date.	<b>ξ</b> .
CONTACT INFORMATION				
	ut this re	eport:		
020 Name 1				
021 Street 1			Telephone Number 2 ()	Extension 3
022 Street 2 1			Fax Number 2 ()	
023 City 1	State	Zip 3	E-mail Address	

**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

Country

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	Extension
			· ()	2
025	Name	Title	Fax Number	
		2	° ()	

## **BE-13A – Acquisition Information**

## Consolidating the Acquired U.S. Entity

Consolidated reporting by the acquired U.S. entity (see EXAMPLE 1): The acquired U.S. business enterprise (A) must file Form BE-13A on a fully consolidated domestic U.S. basis. Include in the consolidation every U.S. business enterprise (B) and (C), proceeding down each ownership chain, whose voting interest is more than 50 percent owned by the U.S. business enterprise directly above.

Exclude from the full consolidation all minority-owned U.S. business enterprises (D) and all foreign business enterprises owned by this U.S. business enterprise; however, include them on an equity basis when reporting financial information on page 10.

A minority-owned U.S. business enterprise must file a Form BE-13 Claim for Exemption if the minority-owned U.S. business enterprise has not previously filed a BE-13, BE-605, BE-12, or BE-15.

Hereinafter the consolidated U.S. businesses are considered to be the 'acquired U.S. entity'.

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.

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. formation survey form forms are at Voting interest may not equal equity interest.





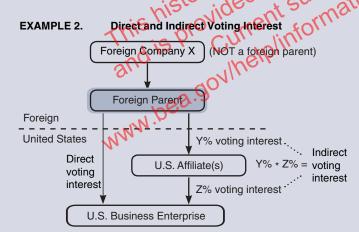
Month

Dav

Year

## **ACQUISITION INFORMATION**

What date did a foreign parent's voting interest (direct, and/or indirect through existing U.S. affiliates) in the acquired U.S. entity first reach on exceed 10 percent? See Example 2 ... 101

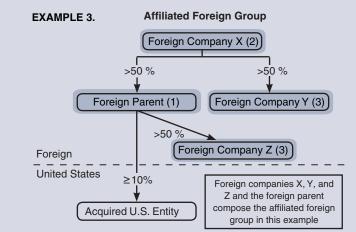


Foreign parent is the FIRST entity incorporated outside the United States, proceeding up a chain of ownership, that has a 10 percent or more voting interest (directly, and/or indirectly through existing U.S. affiliates) in the acquired U.S. entity.

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.

## 2 What was the total cost to all foreign parents' affiliated foreign groups (see EXAMPLE 3) and their U.S. affiliates for the acquisition that occurred on the date reported in 1?

- Include the cost of voting interest and non-voting equity interest.
- · Exclude the cost to any U.S. or foreign entity that is not affiliated with any of the foreign parents.



## Affiliated foreign group means:

Total Cost

- (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

\$ Bil.

Mil. Thous. Dols.

.000

(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.)

BE-13A	<ul> <li>Acquisition Information</li> </ul>
<b>3</b> What was the legal name of the acquired U.S. entity at t	the time of the acquisition?
105 1	
Did the acquired U.S. entity use any other names imme	diately before or after the acquisition?
<sup>106</sup> <sup>1</sup> <b>1</b> YES - List and describe the names: <sup>2</sup>	
<sup>1</sup> 2 NO	b.
	er valle.
5 Were any U.S. businesses established within the last 30	0 days solely to facilitate the complete acquisition, and will not be dissolved?
<sup>1</sup> <b>1</b> YES - List their names: <sup>2</sup>	is no urpose ponder
2 NU	torn tion Pare at resp
If the answer is "YES", consolidate the established entitle	s with the acquired entity while answering the remaining questions on this BE-13A Form.
6 What is the acquired U.S. entity's employer identification	on number used to file income and payroll taxes?
$\frac{109}{$	t survestion-te
Are there any U.S. <u>business enterprises</u> consolidated in	n, or owned by, the acquired U.S. entity?
Are there any U.S. <u>business enterprises</u> consolidated in <sup>120 1</sup> 1 Yes <sup>1</sup> 2 No — <i>SKIP</i> to 9	
A.9	
8 What is the name of each U.S. business enterprise cons Include all consolidated U.S. business enterprises (B) and (C	<b>colidated in, or owned by, the acquired U.S. <u>entity</u>?</b> C), and unconsolidated <u>minority-owned U.S business enterprises</u> (D), in EXAMPLE 4.
121 1	
122 1	
123 1	
124 1	
125 1	
List additional entries on a separate page, if necessary.	
EXAMPLE 4. Acquired U.S. Entity	Business enterprise means any organization, association, branch, or venture that exists for profit-making purposes or to otherwise secure
Acquired U.S. Business Enterprise (A)	economic advantage, and ownership of any real estate that is not held for personal use.
	Voting interest is the percent of ownership in the voting securities of
U.S. Business	an incorporated business enterprise or an equivalent interest in an unincorporated business enterprise.
Enterprise (B)	<ul> <li>In a general or limited partnership, voting interest is presumed to be divided evenly between the general partners, and limited</li> </ul>
U.S. Business	partners are presumed to have zero voting interest, unless otherwise stated in the partnership agreement.
Enterprise (C)	a la the ease of a limited lightlith comparation (1,1,0) voting

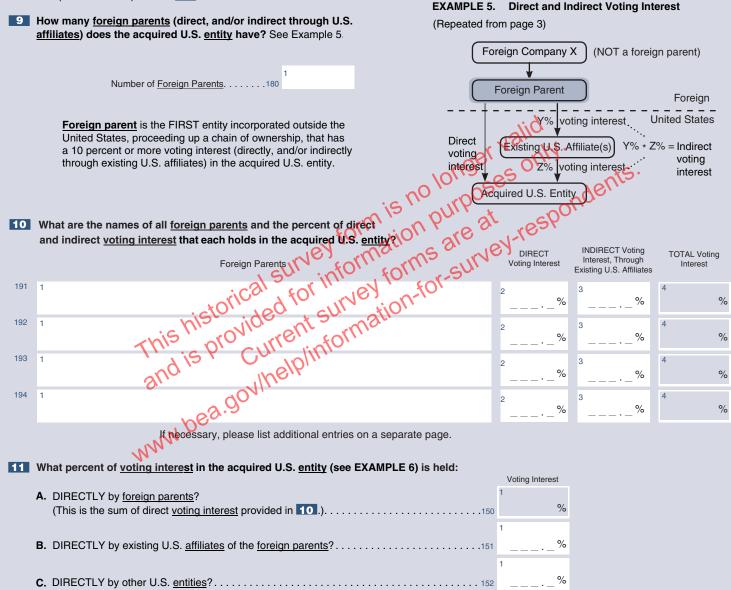
≤50%

U.S. Business Enterprise (D) • 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.

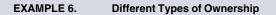
## **BE-13A – Ownership Information**

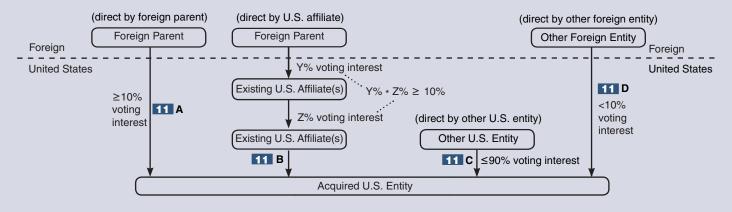
## **OWNERSHIP INFORMATION FOR THE ACQUIRED U.S. ENTITY**

As of the acquisition date reported in 1:











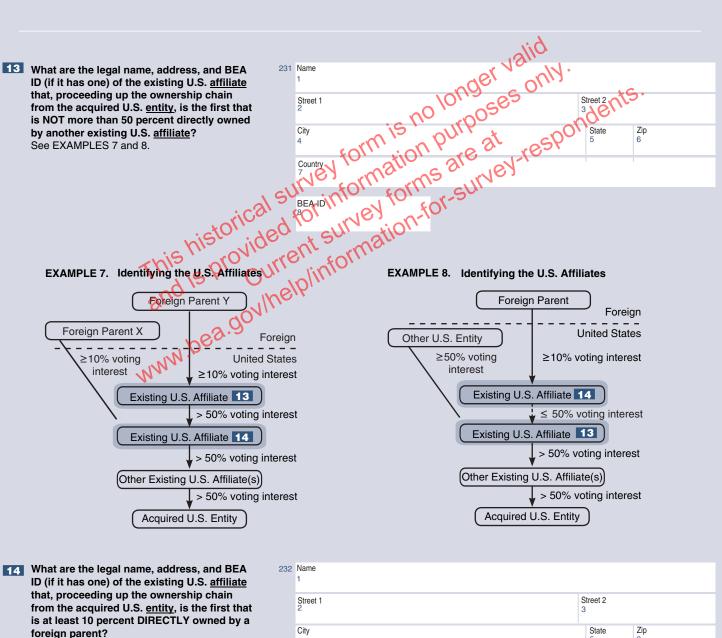
## **EXISTING U.S. AFFILIATES**

As of the acquisition date reported in 1:

Does any one existing U.S. affiliate DIRECTLY own more than 50 percent of the voting interest in the acquired U.S. entity? 230 1 1

Yes - Please provide an organizational chart, as of the date of the acquisition. CONTINUE to 13.

<sup>1</sup>2 No - SKIP to 15.



See EXAMPLES 7 and 8 above.

If it is the same existing U.S. affiliate as in 13, write "same" in the name field.

5 6 Country BEA ID

NOTE: If there is more than one foreign parent (direct, and/or indirect through existing U.S. affiliates), complete 15 through 27 for each additional foreign parent on separate pages. Additional copies of these pages may be downloaded from www.bea.gov/be13.

## BE-13A Identifying Foreign Parent Number \_\_\_\_ of

**NOTE:** If there is more than one foreign parent (direct, and/or indirect through existing U.S. affiliates), complete **15** through **27** for each additional foreign parent on separate pages. Additional copies of these pages may be downloaded from <a href="http://www.bea.gov/be13">www.bea.gov/be13</a>.

## **IDENTIFYING THE FOREIGN PARENT**

## 15 What is the name of this foreign parent?

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

201 1	
<ul> <li>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 acquired U.S. entity.</li> <li>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.</li> <li>In a general or limited partnership, voting interest is presumed to be divided evenly between the general partners, and timited partnership are presumed to have zero voting interest, unless otherwise stated in the partnership agreement.</li> <li>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.</li> </ul>	EXAMPLE 11. Direct and Indirect Voting Interest. (Repeated from page 3) (NOT a foreign parent) Foreign Foreign Direct Voting interest Direct Voting interest Acquired U.S. Entity

## 16 What is this foreign parent's country of incorporation?

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

Country of For	eign Parent
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## 17 What is this foreign parent's industry code?

- Select the category below which best describes the PRIMARY activity of the SINGLE <u>entity</u> named as the <u>foreign parent</u>. (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

202

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

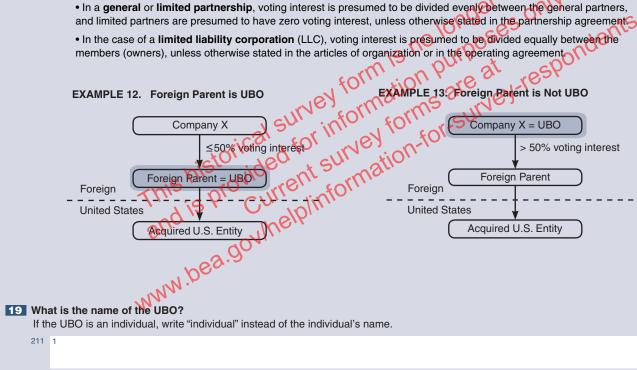
18 Is this foreign parent also the ultimate beneficial owner (UBO)? (See EXAMPLES 12 and 13)

- 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 1 Yes — SKIP to 21 2 No

> 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 even whether 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.



If the UBO is an individual, write "individual" instead of the individual's name.

## 20 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

212

## 21 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

## BE-13A – Information for Foreign Parent Number \_\_\_\_ of

PRIOR OWNERSHIP	
22 Did this foreign parent hold voting interest (directly, and/or indirectly throug the acquired U.S. entity immediately prior to the acquisition date reported in	
23 What was the percent of <u>voting interest</u> , to a tenth of one percent, that this <u>fu</u> indirectly through existing U.S. <u>affiliates</u> ) in the acquired U.S. entity prior to	
	Month Day Year
24 What was the date that the <u>voting interest</u> reported in 23 was acquired?	
<ul> <li>25 What was the value of the investment this foreign parent had in the acquired acquisition date reported in ?</li> <li>Exclude the cost of the acquisition that took place on the date reported in</li> <li>TRANSACTION INFORMATION</li> <li>26 What was the total cost to this foreign parent's affiliated foreign group (see and its U.S. affiliates for the acquisition that occurred on the date reported in</li> </ul>	U.S. entity prior to the new \$ Bil. Mil. Thous. Dols.
orm is	n puis at respus
<ul> <li>TRANSACTION INFORMATION</li> <li>26 What was the total cost to this foreign parent's <u>affiliated foreign group</u> (see and its U.S. <u>affiliates</u> for the acquisition that occurred on the date reported in</li> <li>If there is only one <u>foreign parent</u>, this is the same as the total cost reported in</li> <li>If there is more than one <u>foreign parent</u>, the sum of the cost for each should m total reported in 2.</li> <li>Include the cost of <u>voting interest</u> and non-voting equity interest.</li> </ul>	12
<ul> <li>Exclude the cost to any U.S. entity that is not affiliated with this foreign parent</li> </ul>	t. \$ Bil. Mil. Thous. Dols.
Total cost to this toreign parent's AFG and U.S. af	<u>filiates</u>
EXAMPLE 14. Affiliated Foreign Group	
(Repeated from page 3) Sol % Foreign Parent (1) Foreign Company X (2) Sol % Foreign Company Y (3) Foreign Company Z (3) United States	<ul> <li>Affiliated foreign group means:</li> <li>(1) the foreign parent,</li> <li>(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</li> <li>(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.</li> <li>(As used here, "entity" is synonymous with "person,"</li> </ul>
Example 210% ≥ 10% Foreign companies X, Y, and Z and the foreign parent compose the affiliated foreign group in this example	as that term is used in the broad legal sense.)

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

27 For the acquisition, how much did:	\$ Bil.	Mil. Thous. Dols.
A. This <u>affiliated foreign group</u> DIRECTLY pay to the seller (prior owner) of the acquired U.S. entity as consideration (cash or equity)?	1	,000,
B. This affiliated foreign group DIRECTLY loan to the acquired U.S. entity?	1	,000,
C. This affiliated foreign group invest in existing U.S. affiliates as cash or equity?	1	,000
<b>D.</b> This <u>affiliated foreign group</u> loan to existing U.S. <u>affiliates</u> ?	1	,000

**NOTE:** If there is more than one foreign parent (direct, and/or indirect through existing U.S. affiliates), complete **15** through **27** for each additional foreign parent on separate pages. Additional copies of these pages may be downloaded from <u>www.bea.gov/be13</u>.

## **BE-13A – Financial and Operating Information**

## FINANCIAL AND OPERATING INFORMATION

Report the acquired U.S. entity's financial and operating information for the most recently completed fiscal year. If this information is not available, provide estimates and indicate such in the notes section on page 2.

**Reminder:** The acquired U.S. entity includes the acquired U.S. <u>business enterprise</u> and all U.S. <u>business enterprises</u>, proceeding down an ownership chain from the acquired U.S. <u>business enterprise</u>, whose <u>voting interest</u> is more than 50 percent owned by the U.S. <u>business enterprise</u> directly above it. For additional information, see 'Consolidating the Acquired U.S. Entity' on page 3.

For **29** through **32**, include on an equity basis all foreign <u>business enterprises</u> owned by the acquired U.S. <u>business enterprise</u> and all U.S. <u>business enterprises</u> owned 50 percent or less by the acquired U.S. <u>business enterprise</u>.

28 What is the ending date for the most recently completed fiscal year that ended on, or before, the	1 /	/
	\$ Bil Mil. 1	Thous. Dols.
As of the date reported in 28, what were the acquired U.S. entity's:	1ents	,000
30 Liabilities?	1	,000
31 Annual sales or gross operating revenues?	1	,000
32 Annual not income (loca) ofter provision for integrations of for the start of th	1	,000
<ul> <li>23 What is the ending date for the most recently completed fiscal year that ended on, or before, the acquisition date reported in 1?</li></ul>	peration. for the year.	
34 Major activities? Check all that app		
<ul> <li>Producer of goods</li> <li>Seller of goods it does not produce</li> <li>Producer or distributor of information</li> <li>Provider of services</li> <li>Real estate</li> <li>Other—Specify: 7</li> </ul>		
35 Major products and/or services involved in the activities identified in 34? If a product, also state what is done to it, i.e., whether it is mined, manufactured, sold at wholesale, transported, package 421 1	jed, etc.	
<b>36</b> Four-digit industry classification? Select the category below which best describes the industry in which the acquired U.S. entity had the largest amount o operating revenues. (See list on page 13 or go to <a href="https://www.bea.gov/NAICS2017">www.bea.gov/NAICS2017</a> for detailed descriptions.)	f sales or gross	
423 1		
As of the date reported in <b>28</b> :		
<ul> <li>37 In which state was the acquired U.S. entity located?</li> <li>If the acquired U.S. entity operates in more than one state, then select the state where the greatest number of the e</li> <li>If there are no employees and there is no physical location, then select the state of incorporation.</li> <li>422 1</li> </ul>	mployees are b	ased.
38 Did the acquired U.S. entity conduct research and development activities? 424 1 1 Yes 1 2 No 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 acurrently valid OMB Control Number.

**Respondent burden:** Public reporting burden for this BE-13A form 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, 4600 Silver Hill Boad, 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. Goples 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.

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Note: "ISI codes" are International Surveys Industry codes, as given in the *Guide to Industry Classifications for International Surveys, 2017,* available at <u>www.bea.gov/naics2017</u>. See the Summary of Industry Classifications on page 13 of this form.

- N N
- 01 Government and government-owned or -sponsored enterprise, or quasi-government organization or agency
- 02 Pension fund Government run
- **03** Pension fund Privately run
- 04 Estate, trust, or nonprofit organization
- 05 Individual

Private business enterprise, investment organization, or group engaged in:

- 06 Insurance (ISI codes 5242, 5243, 5249)
- 07 Agriculture, forestry, fishing and hunting (ISI codes 1110–1140)
- **08** Mining (ISI codes 2111–2127)
- 09 Construction (ISI codes 2360-2380)
- 10 Transportation and warehousing (ISI codes 4810–4939)
- 11 Utilities (ISI codes 2211-2213)
- 12 Wholesale and retail trade (ISI codes 4231–4540)
- 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)

- 17 Information (ISI codes 5111–5191)
- 18 Professional, scientific, and technical services (ISI codes 5411-5419)
- 19 Other services (ISI codes 1150, 2132, 2133, 5321, 5329, and 5611–8130)

Manufacturing, including fabricating, assembling, and processing of goods:

- **20** Food (ISI codes 3111–3119)
- **21** Beverages and tobacco products (ISI codes 3121 and 3122)
- 22 Pharmaceuticals and medicine (ISI code 3254)
- 23 Other chemicals (ISI codes 3251-3259, except 3254)
- 24 Nonmetallic mineral products (ISI codes 3271-3279)
- 25 Primary and fabricated metal products (ISI codes 3311–3329)
- 26 Computer and electronic products (ISI codes 3341–3346)
- 27 Machinery (ISI codes 3331-3339)
- 28 Electrical equipment, appliances and components (ISI codes 3351-3359)
- 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 enterprise.

## 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.

**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 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:

- 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 acconsidered 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 acquired U.S. entity.

**Minority-owned U.S. business enterprise** means a U.S. business enterprise in which the U.S. business enterprise above it in an ownership chain holds 50 percent or less direct voting interest.

**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.

**United States**, when used in a geographic 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 description of each classification, see www.bea.gov/naics2017

Motion picture and video industries

Radio and television broadcasting

Cable and other subscription programming Wired and wireless telecommunications

Data processing, hosting, and related services Other information services

Depository credit intermediation (Banking) Activities related to credit intermediation

branches and agencies Nondepository branches and agencies Securities and commodity contract

other financial investment activities and exchanges

carriers Directife insurance carriers

except copyrighted works

Agencies, brokerages, and other insurance

Funds, trusts, and other financial vehicles

Automotive equipment rental and leasing

Other rental and leasing services Lessors of nonfinancial intangible assets,

Legal services Accounting, tax preparation, bookkeeping, and payroll services

Architectural, engineering, and related services Specialized design services Computer systems design and related services

Management, scientific, and technical consulting

Advertising, public relations, and related services

Corporate, subsidiary, and regional management

Scientific research and development services

Other professional, scientific, and technical

Management of Companies and Enterprises 5512 Holding companies, except bank holding

Administrative and Support and Waste Management and Remediation Services 5611

Travel arrangement and reservation services Investigation and security services Services to buildings and dwellings

Waste management and remediation services

**Estate and Rental and Leasing** 

**Professional, Scientific, and Technical** 

related activities Insurance carriers, except direct life insurance

Non-depository credit intermediation, except

Sound recording industries

Satellite telecommunications Other telecommunications

5121 5122

5151

5152 5173

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5182 5191

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5224

5229 523

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5243

05249

5252

Real

5310

5321

5329 5331

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5513

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6230

6240

7121

7130

7210

8120

8130

Services

05242

carriers

**Finance and Insurance** 

Real estate

services

services

companies

Office administrative services 5612 Facilities support services 5613 Employment services

Business support services

Other support services

Health Care and Social Assistance 6210 Ambulatory health care services 6220 Hospitals

**Accommodation and Food Services** 

Personal and laundry services

Religious, grantmaking, civic, professional,

Page 13

7220 Food services and drinking places

and similar organizations

Nursing and residential care facilities Social assistance

Arts, Entertainment, and Recreation 7110 Performing arts, spectator sports, and related

Museums, historical sites, and similar institutions Amusement, gambling, and recreation industries

**Educational Services** 6110 Educational services

industries

**Other Services** 

Accommodation

8110 Repair and maintenance

**Public Administration** 

9200 Public administration

offices

<b>Agric</b> 1110	ulture, Forestry, Fishing, and Hunting	3334
1120	Crop production Animal production	3335
1130	Forestry and logging	3336
1140	Fishing, hunting, and trapping	0000
1150	Support activities for agriculture and forestry	3339
Minin		3341
2111	Oil and gas extraction	3342
2121	Coal	3343
2123	Nonmetallic minerals	3344
2124	Iron ores	3345
2125	Gold and silver ores	0040
2126	Copper, nickel, lead, and zinc ores	3346
2127	Other metal ores	3351
2132	Support activities for oil and gas operations	3352
2133	Support activities for mining, except for oil and	3353
	gas operations	3359
Utilit		3361
2211	Electric power generation, transmission, and	3362
	distribution	3363
2212	Natural gas distribution	3364
2213	Water, sewage, and other systems	3365
Cons	truction	3366
2360	Construction of buildings	3369 3370
2270	Heavy and civil anging or ing construction	00/0

- 2370 Heavy and civil engineering construction 2380 Specialty trade contractors

## Manufacturing

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

FORM BE-13A (REV. 01/2020)

3333 Commercial and service industry machinery

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

  - Communications equipment Audio and video equipment Semiconductors and other electronic components
  - Navigational, measuring, electromedical, and control instruments
- Manufacturing and reproducing magnetic and optical media

- Electric lighting equipment Household appliances Electrical equipment Other electrical equipment and components Motor vehicles
- Motor vehicle bodies and trailers
- Motor vehicle parts
- Aerospace products and parts
- j9
- Railroad rolling stock Ship and boat building
- Ship and boat building Other transportation equipment Furniture and related products Medical equipment and supplies Other miscellaneous manufacturing
- 3391 3399

- Wholesale Trade, Durable Goods 4231 Motor vehicles and motor vehicle parts and supplies 4232 4233 Furniture and home furnishing Furniture and home furnishing Lumber and other construction materials 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 4234 4235 4236 4237 4238 4239 Wholesale Trade, Nondurable Goods 4241 Paper and paper product 4242 Drugs and druggists' sundres
- 4243 4244
- 4245
- 4246 4247
- Apparel, piece goods, and notions Grocery and related product Farm product raw material Chemical and allied products Petroleum and petroleum products Beer, wine, and distilled alcoholic beverage 4248
- 4249 Miscellaneous nondurable goods

## Wholesale Trade, Electronic Markets and

- Agents and Brokers 4251 Wholesale electronic markets and agents and brokers
- **Retail Trade**

4540

4810

4821

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4839

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4868

4870

4880

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4932

4939

5111

5112

Information

publishers

Software publishers

- Motor vehicle and parts dealers Furniture and home furnishings Electronics and appliance 4410 4420
- 4431
- 4440 Building material and garden
- equipment and supplies dealers Food and beverage Health and personal care
- 4450
- 4461
- 4471 4480 Gasoline stations
- Clothing and clothing accessories Sporting goods, hobby, book, and music 4510
- 4520 General merchandise
- 4530 Miscellaneous store retailers Nonstore retailers

Transportation and Warehousing

Other water transportation

Couriers and messengers

Petroleum storage for hire Other warehousing and storage

Truck transportation

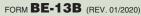
Air transportation Rail transportation Petroleum tanker operations

Transit and ground passenger transportation Pipeline transportation of crude oil, refined

petroleum products, and natural gas

Other pipeline transportation Scenic and sightseeing transportation Support activities for transportation

Newspaper, periodical, book, and directory





## **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)

005 3

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

Electronic filing:	Go to www.bea.gov/efile for details	Nan	ne and mailing address of U.S. Business Enterpri	se	
Fax reports to:	(301) 278-9504	010	Company Name		
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	011	Attention is no longes of the spot	ndent	Ģ∙
Deliver reports to:	U.S. Department of Commerce Bureau of Economic Analysis Direct Investment Division, BE-49(NB) 4600 Silver Hill Road Suitland, MD 20746	013 014 015	steer mation Preat rest	State 2	Zip 3
Assistance:	E-mail: be13@bea.gov Telephone: (301) 278-9419 Copies of form: www.bea.gov/be13	int.	Country att		

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	J.S. busine	ess enterprise when a fo	oreign entity, or an	n existing U.S. affili	iate of a foreign entity, e	establishes a new legal
entity in the United States, and	, pe					

(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.

## 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 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	
<b>Monetary Values:</b> Report in U.S. dollars rounded to thousands (omitting 000). EXAMPLE – If amount is \$1,334,891.00, report as	\$ Bil. Mil. Thous. Dols. 1 335,000
Percentages: Report ownership percentages to a tenth of one percent. EXAMPLE	<sup>1</sup> <u>98.7</u> %
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.	
Retention of copies: Retain a copy of each BE-13 report for three years beyond the report's original due date Notes Notes Not	ants.
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 <sup>3</sup> ()	

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

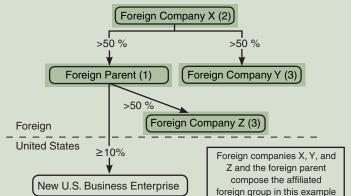
## **NEW U.S. BUSINESS ENTERPRISE INFORMATION**

A holding compa controlling intere	business enterprise a holding any is a businesses engaged in l est in them or influencing their ma urities they hold.	olding the securities or fina				
<sup>100</sup> <sup>1</sup> <b>1</b> Y	es - Select every statement bel	ow that applies to the new	U.S. <u>business enterp</u>	orise (holding compar	<b>าy</b> ):	
	<ul> <li><sup>3</sup> B The initial capitalization</li> <li><sup>4</sup> C The acquisition or esta</li> </ul>	for the purpose of acquirin , including debt and equity plishment is occurring withi will be dissolved after the	, of the <b>holding com</b> in 180 days of the cre	pany is \$60 million or eation of the <b>holding c</b>	less.	
	If all four options A-D were set for Exemption instead of com	pleting the rest of this form	loui	CCS C	unts.	
	Do not file this establis	<u>enterprise</u> ( <b>holding comp</b> iment on a Form BE-13B,	report it with the acqu	isition on a single (For	gle acquisition withir m BE-13A.	30 days.
<sup>1</sup> 2 N	the new U.S. business enterp	intent on a Form BE-13B,	ation pere	at respe	Month Day	Year
2 What date was	the new U.S. business enterp		SUL SU		<sup>D1</sup> //	
and their U.S. a	al expected cost to all <u>foreign</u> <u>iffiliates</u> to set up the new U.S.	barents attinated foreign	groups (AFG, see E	EXAMPLE 1)		
• The	al expenditures from past years cost of <u>voting interest</u> and hon-vi	oting equity interest.				
	penses to set up the new busine erty rights; fees, taxes, permits, l			plant and equipment ex	xpenditures; intellec	tual
EXCLUDE:	cost to any U.S. or foreign entity	<b>1</b>	v of the foreign perce	ate.	\$ Bil. Mil. Th	ous. Dols.
	Nibean				1	,000
Affiliated foreign gr	<u>roup</u> means:		EXAMPLE 1.	Affiliated Foreign G	roup	
<ul> <li>(2) any foreign parenti ownership chain, entity below it up</li> </ul>	t, ty, proceeding up the foreign that owns more than 50 perce to and including that entity wh 50 percent by another foreign e	ent of the ch is not	>5	Foreign Company X	<(2) >50 %	
(3) any foreign entity of each of these r percent by the me	, proceeding down the ownership nembers, which is owned more t	chain(s)	Foreign F	Parent (1) Foreig	gn Company Y (3)	
	in the broad legal sense )		Foreign	(Foreign Com	party $Z(3)$	

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 governmentsponsored agency).



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.

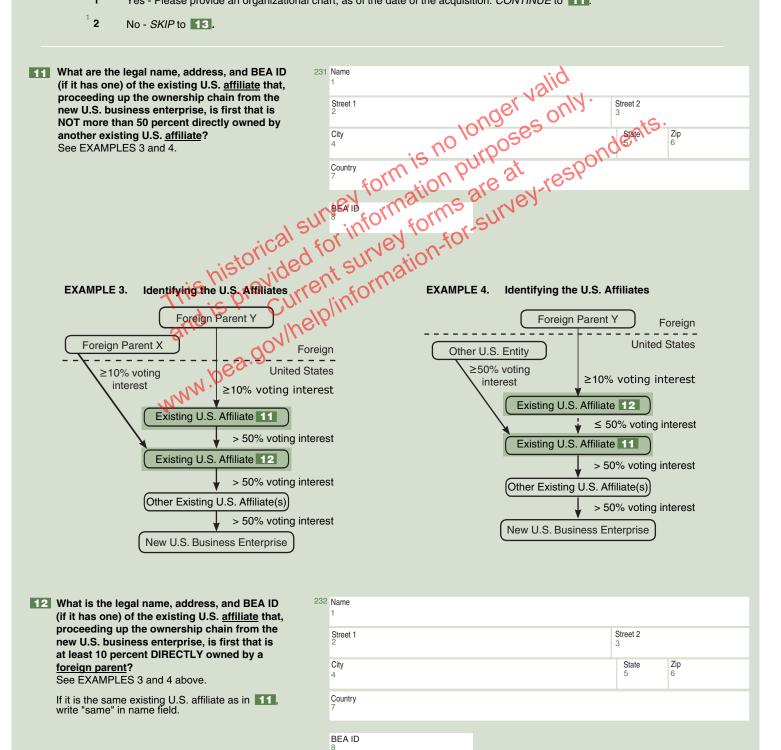
• In the case of a limited liability corporation (LLC), voting interest is presumed to be divided equally between the members (owners), unless otherwise stated in the articles of organization or in the operating agreement.

BE-13B	– New U.S. Business Enterprise	Information		
4 What is the legal name of the new U.S. bus	siness enterprise?			
105 1				
		<i></i>		
5 What is the employer identification numbe Primary	r of the new U.S. business enterprise used to Other	o file income and payroll t	axes?	
109 1	2 _			
	nterprise different from the address on the co			
<ul> <li><sup>500</sup> <sup>1</sup> <sup>1</sup> <sup>2</sup> <sup>1</sup> <sup>1</sup> <sup>2</sup> <sup>1</sup> <sup>2</sup> <sup>1</sup> <sup>2</sup> <sup>1</sup> <sup>2</sup> <sup>1</sup> <sup>1</sup> <sup>2</sup> <sup>1</sup> <sup>2</sup> <sup>1</sup> <sup>1</sup> <sup>2</sup> <sup>1</sup> <sup>1</sup> <sup>2</sup> <sup>1</sup> <sup>1</sup></li></ul>		alid		
Street 1	1	Street 2		
501 City	lor	State	onts.	Zip
502	is no in	<b>Foreign parent</b> is the outside the United Sta ownership, that has a interest (directly, and/o U.S. affiliates) in the n	ge.	0
OWNERSHIP INFORMATION FOR THE NEV	W U.S. BUSINESS ENTERPRISE direct through U.S. <u>affiliates</u> ) ber of <u>Foreign Parents</u> and the percent of direct and indirect <u>voting</u>	e at respu		
	I DISING STATES	e ley-le		
As of the establishment date reported in <b>2</b> :	SUN infort forming	Foreign parent is the outside the United Sta	FIRST entity inc	orporated
How many foreign parents (direct, and inc does the new U.S. business enterprise has a second seco	direct through U.S. <u>affiliates</u> )	ownership, that has a interest (directly, and/o	10 percent or mo	ore voting
histor	ber of Foreign Parents	U.S. affiliates) in the n	ew U.S. busines	s enterprise.
8 What are the names of all foreign parents new U.S. business enterprise?	and the percent of direct and indirect voting	interest that each holds i	n the	
new 0.3. business enterprise :	Carelphin	DIRECT	INDIRECT Voting Interest, Through	TOTAL Voting
all'e Fo	preign Parents		Existing U.S. Affiliates	Interest
191 1		2	3 %	4 %
191 1 192 1 192 1 192 1 192 1 193 1 193 1 194 1 194 1 194 1 194 1 194 1 194 1 195 1		2	3	4
Ma		%	·_%	%
If necessary, pl	ease list additional entries on a separate page.			
9 What percent of <u>voting interest</u> in the new	U.S. business enterprise (see EXAMPLE 2) i	s held: Voting Interest		
A. DIRECTLY by <u>foreign parents</u> ? (This is the sum of direct voting interest provi	ded in <b>8</b> )	× 150 %		
		1		
<b>B.</b> DIRECTLY by existing U.S. <u>affiliates</u> of the <u>fo</u>	oreign parents?			
C. DIRECTLY by other U.S. entities?		152%		
D. DIRECTLY by other foreign <u>entities</u> ?	erest in the new U.S. <u>business enterprise</u> .)	1		
(Each holding less than to percent <u>roung ma</u>	Total of 9 A through 9 D			
EXAMPLE 2.	Different Types of Ownership			
	direct by U.S. affiliate)	(direct by other	foreign entity)	
Foreign Parent	Foreign Parent	Other Fore		
Foreign	Y% voting interest		Forei	
United States	¥		9 D	ed States
≥10% voting interest			<10% voting in	iterest
	Z% voting interest (direct by o	ther U.S. entity)		
E		U.S. Entity		
Ļ	9 B	C ≤90% voting interest	1	
	New U.S. Business Enterprise			

## **EXISTING U.S. AFFILIATES**

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

- 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 1 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.



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.

## BE-13B – Identifying Foreign Parent Number of

**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 <a href="http://www.bea.gov/be13">www.bea.gov/be13</a>.

## **IDENTIFYING THE FOREIGN PARENT**

## **13** What is the name of this <u>foreign parent</u>? See Example 5.

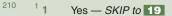
If this foreign parent is an individual who owns 10 percent of the voting interest (directly, and/or indirectly through existing U.S. affiliates) in the acquired U.S. entity, write "individual" instead of the individual's name.

201	bile
<ul> <li>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.</li> <li>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.</li> <li>In a general or limited partnership, voting interest is presumed to Foreign to the process of the percent of the percent</li></ul>	PLE 5. Direct and Indirect Voting Interest Foreign Company & The foreign Parent interest Direct voting interest. Direct voting interest. New U.S. Business Enterprise
<b>14 What is this <u>foreign parent's</u> country of incorporation?</b> If the <u>foreign parent</u> is an individual or government, enter the <u>country of residence</u> . For individuals who do not reside in their country of citizenship, please follow the guidelines for <u>country of residence</u> on page 12.	
<ul> <li>15 What is this <u>foreign parent's</u> industry code?</li> <li>Select the category below which best describes the PRIMARY activity of the (The codes are also listed on page 11.)</li> <li>DO NOT base the code on the worldwide sales of all consolidated subsidiarie. If the UBO is an individual, select the category "05 - Individual."</li> </ul>	,

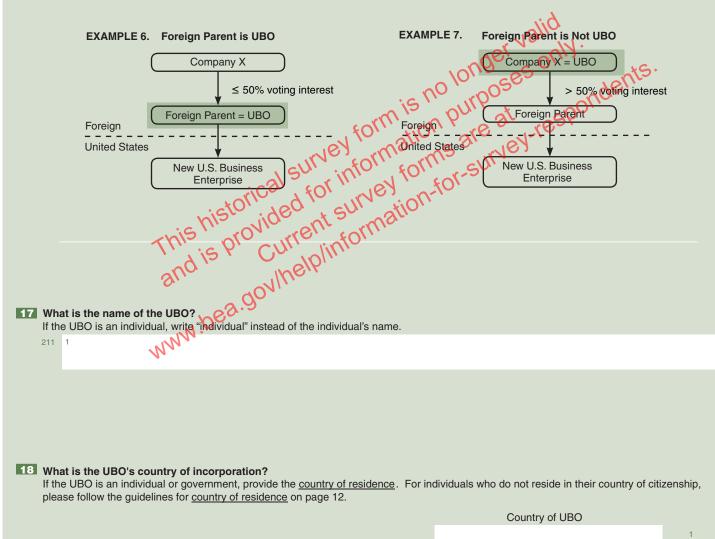
## **IDENTIFYING THE ULTIMATE BENEFICIAL OWNER (UBO)**

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.



<sup>1</sup> 2 No



If the UBO is an individual or government, provide the country of residence. For individuals who do not reside in their country of citizenship,

Country of UBO

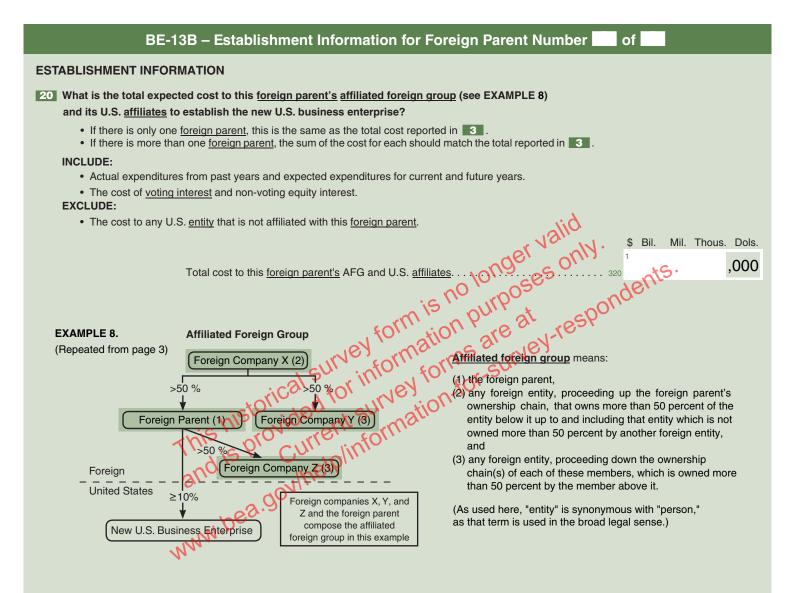
212

of

**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



## 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 affiliated foreign group DIRECTLY invest in the new U.S. business enterprise as cash or equity?					,000
<b>B.</b> This affiliated foreign group DIRECTLY loan to the new U.S. business enterprise?	1				,000,
	1				,000
C. This <u>affiliated foreign group</u> invest in existing U.S. <u>affiliates</u> as cash or equity?	1				,000
<b>D.</b> This <u>affiliated foreign group</u> loan to existing U.S. <u>affiliates</u> ?					,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 <a href="http://www.bea.gov/be13">www.bea.gov/be13</a>.

BE-13B – Financial and Operating Information
<ul> <li>FINANCIAL AND OPERATING INFORMATION FOR THE NEW U.S. BUSINESS ENTERPRISE</li> <li>Report projections for the first fiscal year of operations.</li> <li>Use projections made in the course of planning the investment if available; otherwise give best estimate.</li> <li>If the first fiscal year is less than 12 months, provide annualized numbers for 25 and 26.</li> </ul>
22 What is the ending date for the new U.S. business enterprise's first fiscal year of operations?
As of the date reported in 22, what are the new U.S. business enterprise's projected:
23 Assets?
24 Liabilities?
25 Annual sales or gross operating revenues?
26 Annual net income (loss) after provision for income taxes , ,000
<ul> <li>Assets?</li></ul>
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.
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/NAICS2017 for detailed descriptions.) 423
<ul> <li>In what state is the new U.S. business enterprise located?</li> <li>Select the state where the greatest number of employees are based.</li> <li>Only select the state of incorporation if there are no employees and no physical location.</li> </ul>
<b>33</b> Will the new U.S. business enterprise conduct research and development activities when it is fully operating? <b>424</b> <sup>1</sup> 1 Yes <b>2</b> No

## **BE-13B – Project Information**

## **PROJECT INFORMATION**

34 Is the new U.S. business enterprise currently under construction?			
<sup>508</sup> <sup>1</sup> <b>1</b> Yes	Month	Day	Year
<sup>1</sup> 2 No, construction has yet to begin			
<sup>1</sup> 3 No, construction is complete – Provide completion date:			
<sup>1</sup> 4 No, the project has been canceled			
<sup>1</sup> 5 No, construction is not required for this project			
For 35 and 36, break down the total expected cost to set up the new U.S. business enterprise by type and by fis		Mil. T	hous. Dols.
For 35 and 36, break down the total expected cost to set up the new U.S. business enterprise by type and by fis Total expected cost reported in 3	cal year. \$Bil.	Mil. T	hous. Dols. ,000
Total expected cost reported in 3	\$ Bil.	5.	,000
or valuely.		5.	

A. Land?.... ,000 ,000, for B. Property, plant, and equipment? Include construction. Exclude land. . .512 ,000, C. Intellectual property rights? 514 1 ,000, D. Fees, taxes, permits, licenses? 515 1 ,000, E. Other costs? Describe in roles section on page 516 517 1 Sum of 35 A through 35 E: ,000,

	I his should match the total expected cost reported in 3	
nears	The difference is currently:	,000

# 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.

Only include leases until the business is fully operating.		Fiscal Year	\$ Bil.	Mil. Thous. Dols.
<ul> <li>Provide actual cash or in-kind outlays, not depreciation.</li> <li>Use the new U.S. business enterprise's fiscal calendar for determining year.</li> </ul>	550	1	2	,000
	551	1	2	,000
	552	1	2	,000
	553	1	2	,000
	554	1	2	,000
	555	1	2	,000
	556	1	2	,000,
	557	1	2	,000
	558	1	2	,000
	559	1	2	,000,
Sum of 36 A through			2	,000
This should match the total expecte Th		reported in <u>3</u> ence is currently:		,000
NOTE: BEA will request updated project information each year unt	til final	data are collected	ł.	

## NOTE: BEA will request updated project information each year until final data are collected 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.

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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 Mours 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 Boad, Washington, DC 20233; and to the Office of Management and Budget, Paperwork Reduction Project 0608-0035 Washington, DC 205035

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 field 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. and is provide current sources

## 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, 2017, available at www.bea.gov/naics2017. See the Summary of Industry Classifications on page 13 of this form.

- 01 Government and government-owned or -sponsored enterprise, or quasi-government organization or agency
- 02 Pension fund Government run
- 03 Pension fund Privately run
- 04 Estate, trust, or nonprofit organization
- 05 Individual

Private business enterprise, investment organization, or group engaged in:

- 06 Insurance (ISI codes 5242, 5243, 5249)
- **07** Agriculture, forestry, fishing and hunting (ISI codes 1110–1140)
- 08 Mining (ISI codes 2111-2127)
- 09 Construction (ISI codes 2360-2380)
- **10** Transportation and warehousing (ISI codes 4810–4939)
- 11 Utilities (ISI codes 2211-2213)
- 12 Wholesale and retail trade (ISI codes 4231–4540)
- 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)

- 17 Information (ISI codes 5111-5191)
- 18 Professional, scientific, and technical services (ISI codes 5411–5419)
- 19 Other services (ISI codes 1150, 2132, 2133, 5321, 5329, and 5611-8130)

Manufacturing, including fabricating, assembling, and processing of goods:

- 20 Food (ISI codes 3111-3119)
- 21 Beverages and tobacco products (ISI codes 3121 and 3122)
- 22 Pharmaceuticals and medicine (ISI code 3254)
- 23 Other chemicals (ISI codes 3251-3259, except 3254)
- 24 Nonmetallic mineral products (ISI codes 3271–3279)
- 25 Primary and fabricated metal products (ISI codes 3311–3329)
- 26 Computer and electronic products (ISI codes 3341-3346)
- 27 Machinery (ISI codes 3331-3339)
- 28 Electrical equipment, appliances and components (ISI codes 3351-3359)
- 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 enterprise.

## 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 of to otherwise secure economic advantage, and 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:

- 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 almed 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.

**United States**, when used in a geographic 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 description of each classification, see www.bea.gov/naics2017

	ulture, Forestry, Fishing, and Hunting	3334	Ver
1110 1120	Crop production		and
	Animal production	3335	Met
1130	Forestry and logging	3336	Eng
1140	Fishing, hunting, and trapping		tran
1150	Support activities for agriculture and forestry	3339	Oth
Minin	a	3341	Cor
2111	Oil and gas extraction	3342	Cor
2121	Coal	3343	Auc
2123	Nonmetallic minerals	3344	Ser
2124	Iron ores	3345	Nav
2125	Gold and silver ores		and
2126	Copper, nickel, lead, and zinc ores	3346	Mar
2127	Other metal ores		and
2132	Support activities for oil and gas operations	3351	Elec
2133	Support activities for mining, except for oil and	3352	Ηοι
2100	gas operations	3353	Elec
	-	3359	Oth
Utilit		3361	Mot
2211	Electric power generation, transmission, and	3362	Mot
	distribution	3363	Mot
2212	Natural gas distribution	3364	Aer
2213	Water, sewage, and other systems	3365	Rail
Conc	truction	3366	Shi
2360	Construction of buildings	3369	Oth
2300		3370	Fur
2370	Heavy and civil engineering construction	3391	Med
	Specialty trade contractors	3399	Oth
	Ifacturing		
3111	Animal foods	Whol	
3112	Grain and oilseed milling	4231	Mot
3113	Sugar and confectionery products		part
3114	Fruit and vegetable preserving and specialty	4232	Fur
	foods	4233	Lun
3115	Dairy products	4234	
3116	Meat products	.10	equ
3117	Seafood product preparation and packaging	4235	Met
3118	Bakery products and tortillas	4236	Elec
3119	Other food products	4237	Har
3121	Beverages A V2		equ
3122	Tobacco	4238	Mac
3130	Other food products Beverages Tobacco Textile mills Textile product mills	4239	Mis
3140	Textile product mills	Who	osal
3150	Apparel	4241	
3160	Leather and allied products	4242	Dru
3210	Wood products Pulp, paper, and paperboard mills	4243	App
3221	Pulp, paper, and paperboard mills	4244	Gro
3222	Converted paper products	4245	Far
3231	Printing and related support activities	4245	Che
3242	Integrated petroleum refining and extraction	4240	
3243	Petroleum refining without extraction	4247	Pet
3244	Asphalt and other petroleum and coal products		
3251	Basic chemicals	4249	Mis
3252	Resins, synthetic rubbers, and artificial and	Whol	esa
0202	synthetic fibers an filaments	Agen	
3253		4251	Wh
3233	Pesticides, fertilizers, and other agricultural		age

- chemicals
- 3254
- Pharmaceuticals and medicines Paints, coatings, and adhesives 3255
- Soap, cleaning compounds, and toilet 3256
- preparations
- Other chemical products and preparations Plastics products Rubber products 3259
- 3261
- 3262
- 3271 3272
- Clay products and refractories Glass and glass products Cement and concrete products
- 3273
- 3274 Lime and gypsum products
- Other nonmetallic mineral products Iron and steel mills
- 3279 3311
- Steel products from purchased steel 3312
- 3313 Alumina and aluminum production and
- processing Nonferrous metal (except aluminum) 3314
- production and processing Foundries
- 3315 3321
- Forging and stamping Cutlery and handtools 3322
- Architectural and structural metals Boilers, tanks, and shipping containers 3323
- 3324
- 3325 Hardware Spring and wire products 3326
- 3327
- Machine shop products, turned products, and screws, nuts, and bolts 3328 Coating, engraving, heat treating, and allied
- activities Other fabricated metal products 3329
- 3331 Agriculture, construction, and mining
- machinery
- 3332

FORM BE-13B (REV. 01/2020)

Industrial machinery Commercial and service industry machinery 3333

- ntilation, heating, air-conditioning, d commercial refrigeration equipment talworking machinery gines, turbines, and power nsmission equipment her general purpose machinery mputer and peripheral equipment dio and video equipment miconductors and other electronic components vigational, measuring, electromedical, d control instruments
  - inufacturing and reproducing magnetic l optical media
  - ectric lighting equipment usehold appliances
  - ctrical equipment
  - ner electrical equipment and components
  - tor vehicles
  - tor vehicle bodies and trailers tor vehicle parts
  - rospace products and parts ilroad rolling stock ip and boat building
  - 19

  - ip and boat building her transportation equipment rniture and related products dical equipment and supples her miscellaneous manufacturing

## le Trade, Durable Goods

- tor vehicles and motor vehicle ts and supplies C rniture and home furnishing nber and other construction materials pressional and commercial interstitution and supplies tath and mineral (except petroleum) ctrical and electronic goods rdware, and plumbing and heating upment and supplies chinery, equipment, and supplies scellaneous durable goods er and paper product ugs and druggists' sundries

- parel, piece goods, and notions ocery and related product rm product raw material

- emical and allied products
- troleum and petroleum products er, wine, and distilled alcoholic beverage
- scellaneous nondurable goods
- le Trade, Electronic Markets and

## and Brokers

olesale electronic markets and agents and brokers

## **Retail Trade**

- 4410 4420
- Motor vehicle and parts dealers Furniture and home furnishings Electronics and appliance 4431
- 4440 Building material and garden
- equipment and supplies dealers Food and beverage 4450
- 4461 Health and personal care
- 4471 4480 Gasoline stations
- Clothing and clothing accessories Sporting goods, hobby, book, and music 4510
- 4520 General merchandise
- 4530 Miscellaneous store retailers
- Nonstore retailers 4540

## Transportation and Warehousing

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

## Information

- 5111 Newspaper, periodical, book, and directory publishers Software publishers
- 5112

- Motion picture and video industries 5121
- 5122 Sound recording industries
- 5151 Radio and television broadcasting
  - Cable and other subscription programming Wired and wireless telecommunications 5152
  - 5173
  - carriers

**Finance and Insurance** 

exchanges

Real estate

Legal services

services

services

companies

offices

5221

5223

5224

5229

5231

5238

5242

5243

25249

5252 Real

5310

5321

5329

5331

5411

5412

5413 5414

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6240

Arts,

7110

7121

7130

8110

8120

8130

Services

- 5174 Satellite telecommunications 5179 Other telecommunications
- Data processing, hosting, and related services Other information services 5182 5191

Depository credit intermediation (Banking) Activities related to credit intermediation

branches and agencies Nondepository branches and agencies Securities and commodity contract

intermediation and brokerage Other financial investment activities and

carriers Directlife insurance carriers

except copyrighted works

Agencies, brokerages, and other insurance

Funds, trusts, and other financial vehicles

Automotive equipment rental and leasing

Other rental and leasing services Lessors of nonfinancial intangible assets,

Accounting, tax preparation, bookkeeping, and payroll services

Architectural, engineering, and related services Specialized design services Computer systems design and related services

Management, scientific, and technical consulting

Advertising, public relations, and related services

Corporate, subsidiary, and regional management

Travel arrangement and reservation services Investigation and security services

Waste management and remediation services

Scientific research and development services

Other professional, scientific, and technical

**Management of Companies and Enterprises** 

Holding companies, except bank holding

Administrative and Support and Waste Management and Remediation Services

Services to buildings and dwellings

Office administrative services Facilities support services Employment services

**Health Care and Social Assistance** 

Ambulatory health care services Hospitals

Accommodation and Food Services

7210 Accommodation 7220 Food services and drinking places

Repair and maintenance

Public Administration 9200 Public administration

Nursing and residential care facilities

**Entertainment, and Recreation** 

Performing arts, spectator sports, and related

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

Page 13

Museums, historical sites, and similar institutions

Amusement, gambling, and recreation industries

Business support services

Other support services

**Educational Services** 

6110 Educational services

Social assistance

industries

**Other Services** 

**Estate and Rental and Leasing** 

**Professional, Scientific, and Technical** 

related activities Insurance carriers, except direct life insurance

Non-depository credit intermediation, except



## **MANDATORY - CONFIDENTIAL**

## SURVEY OF NEW FOREIGN DIRECT INVESTMENT IN THE UNITED STATES FORM BE-13 Claim for Exemption

005 3

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

Electronic filing:	Go to www.bea.gov/efile for details	Name and mailing address of U.S. Business Enterprise						
Fax reports to:	(301) 278-9504	010 Company Name						
Mail reports to:	U.S. Department of Commerce Bureau of Economic Analysis Direct Investment Division, BE-49(NI) 4600 Silver Hill Road		011 In Care Of					
		012	Attention 1					
Deliver reports to:	U.S. Department of Commerce							
Direct Investment 4600 Silver Hill Ro	Bureau of Economic Analysis Direct Investment Division, BE-49(NI)	013	Street 1 1					
	Suitland, MD 20746	014	Street 2					
Assistance:	E-mail: be13@bea.gov Telephone: (301) 278-9419 Copies of form: www.bea.gov/be13		City 1	State 2	Zip 3			
Definitions:	Selected terms are defined on page 2.		Country 4					

WHO MUST REPORT:	DUE DATE:
A U.S. business enterprise, whether or not contacted by BEA, that meets all requirements for filing forms BE-13A, BE-13B, or BE-13D except the \$3 million reporting threshold	No later than 45 calendar days after the transaction occurred
A U.S. business enterprise that was contacted by BEA but does not meet the requirements for filing forms BE-13A, BE-13B, or BE-13D	No later than 45 calendar days after contacted by BEA

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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-13 Claim for Exemption form is estimated to average 15 minutes 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.

## 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.

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.

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-

**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 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 acquired, newly established, or expanding U.S. business enterprise.

**Private fund** refers to the same class of financial entities defined by the Securities and Exchange Commission as private funds on Form PF: "any issuer that would be an investment company as defined in section 3 of the Investment Company Act of 1940 but for section 3(c)(1) or 3(c)(7) of ... [that] Act."

**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.

**United 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.

## **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	
	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-13 Claim for Exemption**

1	This U.S. business enterprise was contacted by BEA; however, there is no reporting requirement because there was no acquisition establishment, or expansion by a foreign entity OR because a transaction occurred but did not result in a direct investment relations. For more information for transactions that must be reported on a BE-13, please refer to the "Who Must Report" section on the BE-1 BE-13B, and BE-13D forms.
	<sup>3</sup> Explanation (optional):
<sup>1</sup> 2	This U.S. business enterprise was contacted by BEA; however, the acquisition that occurred is not required to be reported since it represents U.S. real estate acquired and held exclusively for personal use and not for profit making purposes.
	<ul> <li>A residence which is an owner's primary residence that is then leased by the owner while outside the United States, but which the owner intends to reoccupy, is considered real estate held for personal use and hot subject to the reporting requirements.</li> </ul>
	• Ownership of U.S. residential real estate by a corporation whose sole purpose is to hold the real estate for the personal use of the owner(s) of the corporation is considered to be real estate held for personal use and not subject to the reporting requirements.
<sup>1</sup> 3	This U.S. business enterprise was contacted by BEA; however, the acquisition that occurred is not required to be reported since it involves the acquisition of voting interest in an existing U.S. affiliate in which a foreign entity already owns 10 percent or more, directly.
	What is the BEA ID number, if known used to file the BE-605 BE-12, or BE-15 forms for this existing U.S. affiliate?
<sup>1</sup> 4	This U.S. business enterprise was contacted by BEA; however, this new U.S. business enterprise is a holding company, AND is being set up solely for the purpose of acquiring or establishing at least one other U.S. business enterprise, AND the initial capitalization, including debt and equity, of the holding company is \$60 million or less, AND the acquisition or establishment will occur within 180 days of the creation of the holding company, AND the holding company will be dissolved after the acquisition or establishment.
	NOTE: A BE-13 form will be required when the holding company acquires or establishes a U.S. business enterprise.
<sup>1</sup> 5	<ul> <li>This U.S. business enterprise was contacted by BEA; however, there is no reporting requirement because the U.S. business enterprise is a private fund,</li> <li>AND the private fund does not own, directly or indirectly through another business enterprise, an operating company (a business enterprise that is not a private fund or a holding company) in which the foreign parent owns at least 10 percent of the voting interest (directly, or indirectly through another U.S. business enterprise),</li> <li>AND if the foreign parent owns the private fund indirectly (through one or more other U.S. business enterprises), there are no U operating companies between the foreign parent and the indirecty-owned U.S. private fund.</li> </ul>
	NOTE: The foreign investment in the U.S. private fund may be required to be reported on Treasury International Capital (TIC) Surveys. Review reporting requirements for TIC surveys at <u>www.treasury.gov/tic</u> .
	For more information regarding private funds visit <u>www.bea.gov/privatefunds</u> .
<sup>1</sup> 6	This U.S. business enterprise has not previously filed a BE-13, BE-605, BE-12, or BE-15 AND the voting interest in this U.S. busin enterprise is owned to the extent of 50 percent or less by another U.S. business enterprise that is subject to the filing requirements the BE-13A.
	What is the name of the U.S. business enterprise that is filing the BE-13A?
	051 1
	PROCEED to question 2.
<sup>1</sup> 7	The total cost of the acquisition, establishment, or expansion is \$3 million or less. The "total cost" consists of all actual and expected costs to all foreign parents' affiliated foreign groups and their U.S. affiliates, including costs funded through debt.
	PROCEED to question 2.

# **BE-13 Claim for Exemption**

TRANSACTION INFORMATION	Month	Day	Year
2 What date was the acquisition completed, the new legal entity established, or the expansion begun?10	/	/	
On the date provided in 2, what was the legal name of the acquired, newly established, or expanding U.S.	business	enterprise	17
105 1			
Notes (optional):			
Notes (optional): Notes (optional): Which type of transaction occurred? (See "Which BE-13 form do Hile?" on www.bea.gov/be13 for more information Notes (optional): Notes (optional)	ndent	S.	
4 Which type of transaction occurred? (See "Which BE-13 form do I file?" or www.bea.go/be13 for more information	on.) Select	one:	
When answering the following questions, report for the most recently completed fiscal year that ended of PROCEED to question 5.			iisition date.
<ul> <li>2 Establishment of a new U.S. affiliate.</li> <li>When answering the following questions, report projections for the end of the first fiscal year of operation.</li> <li>PROCEED to question 5.</li> <li>4 Expansion of an existing U.S. affiliate.</li> </ul>	ns.		
When answering the following questions, report projections for the end of the first fiscal year of operation Include only the data that pertain to the expansion, NOT the entire U.S. affiliate.	าร.		
SKIP to and complete only questions <b>8</b> through <b>13</b> .			
FINANCIAL AND OPERATING INFORMATION			
If this information is not available, provide estimates and indicate as such in the notes section above.			
For the acquired or newly established business enterprise, or the expansion, as of the date specified by the response in 4, what are the total:	Bil. M	il. Thou	s. Dols.
1 5 Assets?			,000
Image: 1         1           6         Liabilities?         402			,000
Image: Net income (loss) after provision for income taxes?         404			,000
8         Sales or gross operating revenues?         403			,000
9 Number of employees when fully operating?			
<ul> <li>Include all full-time and part-time employees in the United States on the payroll.</li> <li>Exclude contract workers and other workers not carried on the payroll.</li> <li>If a strike, or other interruption of operations, was in progress at the end of the year, report a number that represe</li> </ul>	nts normal	operation.	

• If the business enterprises' activity involves large seasonal variations, report a number that represents an average for the year.

Number of Employees

405 1

## FINANCIAL AND OPERATING INFORMATION

For the acquired or newly established business enterprise, or the expansion, as of the date specified by the response in 4:

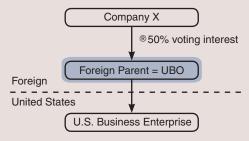
## 10 What is the U.S. business enterprise's four-digit industry classification?

Select the category below which best describes the industry in which the U.S. business enterprise, or expansion, had (or is expected to have) the largest amount of sales or gross operating revenues. (See list on page 6 or go to www.bea.gov/NAICS2017 for detailed descriptions.) 423 1

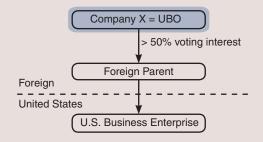
## In which country is the U.S. business enterprise's foreign parent incorporated?

12 In which country is the U.S. business enterprise's ultimate beneficial owner (UBO) incorporated? (See EXAMPLES 2 and 3 below and definition on page 2) (See EXAMPLE 3) (See EXAMPLE 3) (See EXAMPLE 4) (See EXAMPLE If the U.S. affiliate has more than one foreign parent, choose the country for the foreign parent with greatest control of the U.S. business enterprise. (See EXAMPLE 1 below and definition on page 2) -respondents

EXAMPLE 2. Foreign Parent is UBO



## EXAMPLE 3. Foreign Parent is Not UBO



## In which state is the acquired or newly established U.S. business enterprise, or expansion, located?

Y% \* Z% = Indirect

votina

interest

· Select the state where the greatest number of employees are based.

voting interest

Z% voting interest ··

(NOT a foreign parent)

Foreign Parent

U.S. Business Enterprise

Existing U.S. Affiliate(s)

• Only select the state of incorporation if there are no employees and no physical location.

422 1

Foreign

United States

Direct

voting

interest

## **RETURN TO COVER PAGE FOR FILING INSTRUCTIONS**

## SUMMARY OF INDUSTRY CLASSIFICATIONS (ISI codes)

For a full description of each classification, see www.bea.gov/naics2017

	ulture, Forestry, Fishing, and Hunting	3334	Ventilatio
1110	Crop production		and com
1120	Animal production	3335	Metalwo
1130		3336	Engines,
1140	Fishing, hunting, and trapping		transmis
1150	Support activities for agriculture and forestry	3339	Other ge
Minir		3341	Compute
2111	Oil and gas extraction	3342	Commur
2121	Coal	3343	Audio an
2123	Nonmetallic minerals	3344	Semicon
2123	Iron ores	3345	Navigatio
2125	Gold and silver ores		and cont
2125	Copper, nickel, lead, and zinc ores	3346	Manufac
2127	Other metal ores		and optic
2132	Support activities for oil and gas operations	3351	Electric I
2133	Support activities for mining, except for oil and	3352	Househo
2100	gas operations	3353	Electrica
	5 1	3359	Other ele
Utilit		3361	Motor ve
2211	Electric power generation, transmission, and	3362	Motor ve
	distribution	3363	Motor ve
2212	Natural gas distribution	3364	Aerospa
2213	Water, sewage, and other systems	3365	Railroad
Cone	truction	3366	Ship and
2360	Construction of buildings	3369	Other tra
2370	Heavy and civil engineering construction	3370	Furniture
2380	Specialty trade contractors	3391	Medical
		3399	Other mi
	Ifacturing	M/le = I	
3111	Animal foods		esale Ti
3112	Grain and oilseed milling	4231	Motor ve
3113	Sugar and confectionery products	4232	parts and
3114	Fruit and vegetable preserving and specialty		Furniture
	foods	4233	Lumber a
3115	Dairy products	4234	Professio
3116	Meat products		equipme
3117	Seafood product preparation and packaging	4235	Metal an
3118	Bakery products and tortillas	4236	Electrica
3119	Other food products	4237	Hardwar
3121	Beverages		equipme
3122	Tobacco	4238	Machine
3130	Bakery products and tortillas Other food products Beverages Tobacco Textile mills Textile product mills	4239	Miscellar
3140	roxulo product mile	Whol	esale Tr
3150	Apparel	4241	Paper ar
3160	Leather and allied products	4242	Drugs ar
3210	Wood products	4243	Apparel,
3221	Pulp, paper, and paperboard mills	4244	Grocery
3222	Converted paper products	4245	Farm pro
3231	Printing and related support activities	4246	Chemica
3242	Integrated petroleum refining and extraction	1217	Potrolou

- Integrated petroleum refining and extraction 3243
- Petroleum refining without extraction Asphalt and other petroleum and coal products 3244
- 3251 Basic chemicals
- 3252 Resins, synthetic rubbers, and artificial and synthetic fibers an filaments
- 3253 Pesticides, fertilizers, and other agricultural chemicals
- Pharmaceuticals and medicines Paints, coatings, and adhesives 3254
- 3255
- Soap, cleaning compounds, and toilet 3256
- preparations
- Other chemical products and preparations Plastics products Rubber products 3259
- 3261
- 3262
- 3271 3272
- Clay products and refractories Glass and glass products Cement and concrete products 3273
- 3274 Lime and gypsum products
- Other nonmetallic mineral products Iron and steel mills
- 3279 3311
- Steel products from purchased steel 3312
- 3313 Alumina and aluminum production and
- processing Nonferrous metal (except aluminum) 3314
- production and processing Foundries
- 3315 3321
- Forging and stamping Cutlery and handtools 3322
- 3323 Architectural and structural metals
- 3324 Boilers, tanks, and shipping containers
- 3325 Hardware
- Spring and wire products 3326
- 3327
- Machine shop products, turned products, and screws, nuts, and bolts 3328 Coating, engraving, heat treating, and allied
- activities Other fabricated metal products 3329
- 3331 Agriculture, construction, and mining
- machinery
- Industrial machinery 3332

Page 6

Commercial and service industry machinery 3333

- ion, heating, air-conditioning, nmercial refrigeration equipment orking machinery , turbines, and power ssion equipment eneral purpose machinery er and peripheral equipment nications equipment nd video equipment nductors and other electronic components onal, measuring, electromedical, trol instruments cturing and reproducing magnetic
- cal media lighting equipment
- old appliances al equipment
- longe ectrical equipment and components hicles
- chicle bodies and trailers
- ehicle parts
- ce products and parts
- is
- d rolling stock d boat building
- d boat building ansportation equipment e and related products equipment and supplies niscellaneous manufacturing

## rade, Durable Goods

- ehicles and motor vehicle e and home furnishing and other construction materials ant and supplies and and supplies nd mineral (except petroleum) al and electronic goods re, and plumbing and heating ent and supplies ry, equipment, and supplies neous durable goods rade, Nondurable Goods nd paper product nd druggists' sundries
- , piece goods, and notions and related product
- oduct raw material
- al and allied products
- 4247
- Petroleum and petroleum products Beer, wine, and distilled alcoholic beverage 4248
- Miscellaneous nondurable goods 4249

## Wholesale Trade, Electronic Markets and

Agents and Brokers 4251 Wholesale electronic markets and agents and brokers

**Retail Trade** 

- 4410
- Motor vehicle and parts dealers Furniture and home furnishings 4420
- Electronics and appliance 4431
- 4440 Building material and garden
- equipment and supplies dealers Food and beverage 4450
- 4461 Health and personal care
- 4471
- 4480
- Gasoline stations Clothing and clothing accessories Sporting goods, hobby, book, and music 4510
- 4520 General merchandise
- 4530 Miscellaneous store retailers
- Nonstore retailers 4540

### Transportation and Warehousing

- 4810 Air transportation
- Rail transportation Petroleum tanker operations 4821
- 4833 4839 Other water transportation
- 4840
- 4850
- Truck transportation Transit and ground passenger transportation Pipeline transportation of crude oil, refined 4863 petroleum products, and natural gas
- Other pipeline transportation Scenic and sightseeing transportation Support activities for transportation 4868 4870
- 4880
- 4920
- Couriers and messengers Petroleum storage for hire 4932
- Other warehousing and storage 4939
- Information
  - 5111 Newspaper, periodical, book, and directory publishers
  - Software publishers 5112

- Motion picture and video industries 5121
- 5122 Sound recording industries
- 5151 Radio and television broadcasting
- Cable and other subscription programming Wired and wireless telecommunications 5152 5173

Data processing, hosting, and related services Other information services

Depository credit intermediation (Banking)

Nondepository branches and agencies Securities and commodity contract intermediation and brokerage

Other financial investment activities and

Funds, trusts, and other financial vehicles Real Estate and Rental and Leasing Real estate Automotive equipment rental and leasing

Lessors of nonfinancial intangible assets,

Accounting, tax preparation, bookkeeping, and payroll services

Architectural, engineering, and related services

Specialized design services Computer systems design and related services Management, scientific, and technical consulting

Advertising, public relations, and related services Other professional, scientific, and technical

Corporate, subsidiary, and regional management

Business support services Travel arrangement and reservation services

Waste management and remediation services

Scientific research and development services

Management of Companies and Enterprises5512Holding companies, except bank holding

Administrative and Support and Waste Management and Remediation Services

Investigation and security services

Services to buildings and dwellings

Office administrative services

Facilities support services

Employment services

Other support services

Health Care and Social Assistance6210Ambulatory health care services6220Hospitals

Accommodation and Food Services

7210 Accommodation7220 Food services and drinking places

Personal and laundry services

and similar organizations

Nursing and residential care facilities

Entertainment, and Recreation Performing arts, spectator sports, and related

Religious, grantmaking, civic, professional,

FORM BE-13 Claim for Exemption (REV. 01/2020)

Museums, historical sites, and similar institutions Amusement, gambling, and recreation industries

**Educational Services** 

6110 Educational services

Social assistance

Other Services 8110 Repair and maintenance

Public Administration

9200 Public administration

industries

exchanges Agencies, brokerages, and other insurance related activities Insurance carriers, except direct life insurance

Activities related to credit intermediation Non-depository credit intermediation, except

carriers Satellite telecommunications Other telecommunications

oranches and agencies

carriers Direct life insurance carriers

Other rental and leasing services

**Professional, Scientific, and Technical** 

except copyrighted works

Legal services

services

services

companies

offices

**Finance and Insurance** 

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5179

5182 5191

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5229 6231

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Arts.

7110

7121 7130

8120

8130

Services

Urp05242





## **MANDATORY — CONFIDENTIAL\***

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

## (Report for the Expansion of an Existing U.S. Affiliate)

005 3

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

Electronic filing:	Go to www.bea.gov/efile for details	Name and mailing address of U.S. Business Enterprise					
Fax reports to:	(301) 278-9504	010	Company Name				
Mail reports to:	U.S. Department of Commerce Bureau of Economic Analysis		In Care Of 1				
	Direct Investment Division, BE-49(NI) 4600 Silver Hill Road Washington, DC 20233	012	Attention 1				
Deliver reports to:	<ul> <li>U.S. Department of Commerce Bureau of Economic Analysis Direct Investment Division, BE-49(NI) 4600 Silver Hill Road Suitland, MD 20746</li> </ul>	013	Street 1				
		014	Street 2				
		015	City 1	State 2	Zip 3		
Assistance:	E-mail: be13@bea.gov Telephone: (301) 278-9419 Copies of form: <u>www.bea.gov/be13</u>		Country 4				

Due date: No later than 45 calendar days after the expansion is initiated.

## WHO MUST REPORT

A BE-13D report must be filed by an existing U.S. affiliate of a foreign parent when it expands its operations to include a new facility where business is conducted and the projected total cost of the expansion is greater than \$3 million.

**REPORT:** 

- Construction or lease of a new facility by an existing U.S. affiliate.
- Construction of a facility that is intended for lease or sale by an existing U.S. affiliate.
- Expansion of an existing facility if the expansion involves new buildings or structures.
- · Purchase of U.S. real estate including land, or rights to land, on which you intend to perform construction.

## DO NOT REPORT:

- Transfer of existing operations from one U.S. location to another.
- · Replacement of equipment or upgrade of an existing facility that does not involve new buildings or structures.

## **OTHER BE-13 FORMS**

Go to <u>www.bea.gov/be13</u> 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-13B covers certain establishments of a new legal entity in the United States by a foreign entity.

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

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

\*See page 8 for penalties and confidentiality statements.

## **BE-13D – 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	335	,000,

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

Definitions: Underlined terms are defined on page 9.

contact INFORMATION WWW.bea.gov/help/information.for.survey.respondent. Provide information of person to ce.

020	1				
021	Street 1 1			Telephone Number           2	Extension 3
022	Street 2 1			Fax Number 2 ()	
023	City 1	State	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	Zitle	Fax Number 3 ()	

BE-13D – Expansi	on Information						
What date did the expansion project begin?	Month Day Year 1//						
What is the legal name of the expanding U.S. <u>affiliate</u> and its BEA ID,	if it has one?						
105 U.S. Affiliate 1	BEA ID 2						
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. 3 Is the address of the new facility different from the address on the column of 1 Yes – Provide address: 1 Yes – Provide address: 2 No 500 1 Yes – Provide address: 1 No 500 1 Street 1 500 1 City 1 Street 1 500 City 1 Street 1 1 St	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.						
$^{500}$ <sup>1</sup> <b>1</b> Yes – Provide address: $Name$	is ourpost coondo						
<sup>1</sup> 2 No 501 Street 1	ation pare streets-rest						
502 City I SUIVE INFORM	forms survey Zip						
<ul> <li>INCLUDE:</li> <li>All expenses to set up the new facility including, but not limited to: land expenditures; intellectual property rights; fees, faxes, permits, licenses,</li> <li>Actual expenditures from past years and expected expenditures for cure EXCLUDE:</li> <li>The cost to any U.S. or foreign entity that is not affiliated with any of the summer of t</li></ul>	; property, plant and equipment and miscellaneous other costs. rrent and future years.						
Affiliated foreign group means: (1) the foreign parent,	EXAMPLE 1. Affiliated Foreign Group						
<ul> <li>(1) the foreign parent,</li> <li>(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</li> <li>(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.</li> </ul>	Foreign Company X (2) >50 % Foreign Parent (1) Foreign Company Y (3)						
(As used here, "entity" is synonymous with "person," as that term is used in the broad legal sense.)	>50 %						
<ul> <li>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 other U.S. affiliates) in the expanding U.S. affiliate.</li> <li>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.</li> </ul>	Foreign Company Z (3) United States ≥10% Expanding U.S. Affiliate Expanding U.S. Affiliate						
5       How many foreign parents (direct, and/or indirect through other U.S. affiliates) does the expanding U.S. affiliate have? 180       1							
<b>NOTE:</b> If there is more than one foreign parent (direct, and/or indirect each additional foreign parent on a separate page. Additional copies of							

**NOTE:** If there is more than one foreign parent (direct, and/or indirect through other U.S. affiliates) complete **6** through **12** for each additional foreign parent on a separate page. Additional copies of these pages maybe downloaded from <u>www.bea.gov/be13</u>.

## **IDENTIFYING THE FOREIGN PARENT**

## 6 What is the name of this foreign parent?

If this foreign parent is an individual who owns 10 percent of the voting interest (directly, and/or indirectly through other U.S. affiliates) in the expanding U.S. affiliate, write "individual" instead of the individual's name.

201 1	valid
<ul> <li>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 U.S. affiliates) in the expanding U.S. affiliate.</li> <li>Moting 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.</li> <li>In a general or limited partnership, voting interest is presumed to be divided evenly between the general partners and limited partnership are presumed to have zero voting interest, unless otherwise stated in the partnership agreement.</li> <li>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.</li> </ul>	EXAMPLE 2. Foreign Parent Foreign Company & Dents. (NOT a foreign parent Foreign Office Parent Foreign Office Parent Foreign Office Parent Foreign Office Parent Other U.S. Affiliate(s) Y% * Z% = voting interest Expanding U.S. Affiliate
7 What is this foreign parent's country of incorporation? If the foreign parent is an individual or government, provide the country For individuals who do not reside in their country of citizenship, please guidelines for country of residence on page 9.	

Country of Foreign Parent

## 8 What is this <u>foreign parent's</u> industry code?

- Select the category below which best describes the PRIMARY activity of the SINGLE <u>entity</u> named as the <u>foreign parent</u>. (The codes are also listed on page 8.)
- 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

1 202

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

Is this foreign parent also the ultimate beneficial owner (UBO)? (See EXAMPLES 3 and 4)

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

<sup>210</sup> <sup>1</sup> 1 Yes — *SKIP to* **12** <sup>1</sup> 2 No

<u>Voting interest</u> 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.

Sin (

SO

	EXAMPLE 3. Foreign Parent is UBO
	Company X       Winform form for Company X = UBO         Foreign       > 50% voting interest         Foreign       > 50% voting interest         United States       Foreign U.S. Affiliate         Foreign       United States         Expanding U.S. Affiliate       Expanding U.S. Affiliate         WM       Deba.         MM       MM
10	
	211 1

11 What is the UBO's country of incorporation?

If the UBO is an individual or government, provide the <u>country of residence</u>. For individuals who do not reside in their country of citizenship, please follow the guidelines for <u>country of residence</u> on page 9.

Country of UBO

O.

212

of

## 12 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 8.)
- · If the UBO is an individual, select the category "05 Individual."
- Do not use code 14 unless you receive permission from BEA.

213 1

**NOTE:** If there is more than one foreign parent (direct, and/or indirect through other U.S. affiliates) complete **6** through **12** for each additional foreign parent on a separate page. Additional copies of these pages may be downloaded from <u>www.bea.gov/be13</u>.

## BE-13D – Financial and Operating Information

## FINANCIAL AND OPERATING INFORMATION

13 What are the projected annual sales, or gross operating revenues, of the new facility when it is fully operating?

Only include revenue attributed to the expansion, not the entire U.S. affiliate. If actual amounts are not available, supply estimates and specify in the notes section on page 2.

\$ Bil. Mil.	Thous.	Dols.
--------------	--------	-------

.000

## 14 What is the projected number of employees associated with the new facility 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.
- Only include employees located in the new facility, not the entire U.S. <u>affiliate</u>.
   Projected Number of Employees
   How many employees did the new facility 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.
   Exclude employees working at a previously existing facility.
   Current Number of Employees
   1
   What will be the major activities of the new facility when it is fully operating? Check all that apply. • If the new facility's activity will involve large seasonal variations, report a number that represents an average over a year.

403 1

11 Producer of goods

- <sup>2</sup> 2 Seller of goods it does not produce
- <sup>3</sup> 3 Producer or distributor of information
- <sup>4</sup> **4** Provider of services
- <sup>5</sup> 5 Real estate
- <sup>6</sup> 6 Other—Specify:

17 What are the major products and/or services involved in the activities identified in 16?

If a product, also state what is done to it, i.e., whether it is mined, manufactured, sold at wholesale, transported, packaged, etc. 421

## 18 What will be the new facility's four-digit industry classification?

Select the category below which best describes the industry classification in which the new facility is expected to have the largest amount of sales or gross operating revenues. (See list on page 10 or go to www.bea.gov/NAICS2017 for detailed descriptions.)

423 1 19 In which state will the new facility be located? If selection does not match the address on the cover page or in 3, please explain in the notes field on page 2.

- 20 Will the new facility conduct research and development activities?
  - 1 1 424 Yes

422 1

> 1 2 No

# **BE-13D – Project Information**

## **PROJECT INFORMATION**

Is the new facility currently under construction? <sup>508</sup> <sup>1</sup> 1 Yes			Month	Day	Year
<sup>1</sup> 2 No, construction has yet to begin					
<sup>1</sup> 3 No, construction is complete – Provide completion date:					
<ul> <li><sup>1</sup> 4 No, the project has been canceled</li> <li><sup>1</sup> 5 No. construction is not required for this facility</li> </ul>					
5 No, construction is not required for this facility					
or <b>22</b> and <b>23</b> , break down the total expected cost to set up the new f	acility by type and by fisca	al year.	\$ Bil. N	Лil. Th	ious. Dols
	Total expected cost r	eported in 4			,000
22 How much of the total expected cost to set up the new facility is for	nolonge	,S °	SBil. N	∙ ∕lil. Th	ious. Dols
A. Land?	nis purpat	·····e 0.510	Υ <sup>*</sup>		,000
<ul> <li>How much of the total expected cost to set up the new facility is for</li> <li>A. Land?</li> <li>B. Property, plant, and equipment? Include construction. Exclude land.</li> <li>C. Intellectual property rights?</li> <li>D. Fees, taxes, permits, licenses?</li> </ul>	nations are ve	<b>y</b>	1		,000
C. Intellectual property rights?	forning SUN	514	1		,000
D. Fees, taxes, permits, licenses?	ation	515	1		,000
E. Other costs? Describe in notes section on page 2		516			,000
and is the print	Sum of <b>22</b> A throug This should match the total	<b>h 22 E</b> :	1		,000
a. aovin					,000
<ul> <li>How much of the total expected cost to set up the new facility is for</li> <li>A. Land?</li> <li>B. Property, plant, and equipment? Include construction. Exclude land.</li> <li>C. Intellectual property rights?</li> <li>D. Fees, taxes, permits, licenses?</li> <li>B. Other costs? Describe in notes section on page 2on.</li> <li>C. Intellectual property rights and the property of the pro</li></ul>	n each year?				·
• Only include leases until the business is fully operating.		Fiscal Year		Vil. Tr	nous. Dols
		Fiscal Year	2	Mil. Tr	nous. Dols
<ul> <li>Only include leases until the business is fully operating.</li> <li>Provide actual cash or in-kind outlays, not depreciation.</li> </ul>	550 551	Fiscal Year 1 1	2	Mil. Tr	nous. Dols ,000
<ul> <li>Only include leases until the business is fully operating.</li> <li>Provide actual cash or in-kind outlays, not depreciation.</li> </ul>	550 551 552	Fiscal Year 1 1 1 1	2 2 2	Mil. Tr	nous. Dols ,000 ,000
<ul> <li>Only include leases until the business is fully operating.</li> <li>Provide actual cash or in-kind outlays, not depreciation.</li> </ul>	550 551 552 553	Fiscal Year         1         1         1         1         1         1         1         1	2 2 2 2 2	Mil. Tr	nous. Dols ,000 ,000 ,000
<ul> <li>Only include leases until the business is fully operating.</li> <li>Provide actual cash or in-kind outlays, not depreciation.</li> </ul>	550 551 552 553 554	Fiscal Year  1  1  1  1  1  1  1  1  1  1  1  1  1	2 2 2 2 2	Mil. Tr	nous. Dols ,000 ,000 ,000 ,000
<ul> <li>Only include leases until the business is fully operating.</li> <li>Provide actual cash or in-kind outlays, not depreciation.</li> </ul>	550 551 552 553 554 555	Fiscal Year  1  1  1  1  1  1  1  1  1  1  1  1  1	2 2 2 2 2 2	Mil. Tr	nous. Dols ,000 ,000 ,000 ,000
<ul> <li>Only include leases until the business is fully operating.</li> <li>Provide actual cash or in-kind outlays, not depreciation.</li> </ul>	550 551 552 553 554	Fiscal Year  1  1  1  1  1  1  1  1  1  1  1  1  1	2 2 2 2 2 2 2 2 2	Mil. Tr	nous. Dols ,000 ,000 ,000 ,000 ,000
<ul> <li>Only include leases until the business is fully operating.</li> <li>Provide actual cash or in-kind outlays, not depreciation.</li> </ul>	550 551 552 553 554 555 556	Fiscal Year  1  1  1  1  1  1  1  1  1  1  1  1  1	2 2 2 2 2 2	Mil. Tr	·
<ul> <li>Only include leases until the business is fully operating.</li> <li>Provide actual cash or in-kind outlays, not depreciation.</li> </ul>	550 551 552 553 554 555 556	Fiscal Year  1  1  1  1  1  1  1  1  1  1  1  1  1	2 2 2 2 2 2 2 2 2	Mil. Tr	nous. Dols ,000 ,000 ,000 ,000 ,000
<ul> <li>Only include leases until the business is fully operating.</li> <li>Provide actual cash or in-kind outlays, not depreciation.</li> </ul>	550 551 552 553 554 555 556 556 557 558	Fiscal Year  1  1  1  1  1  1  1  1  1  1  1  1  1	2 2 2 2 2 2 2 2 2 2	Mil. Tr	nous. Dols ,000 ,000 ,000 ,000 ,000 ,000
<ul> <li>Only include leases until the business is fully operating.</li> <li>Provide actual cash or in-kind outlays, not depreciation.</li> <li>Use the expanding U.S. <u>affiliate</u>'s fiscal calendar for determining year</li> </ul>	550 551 552 553 554 555 556 557 558 559 Sum of all yearly costs	Fiscal Year	2 2 2 2 2 2 2 2 2 2 2 2 2	Mil. Tr	nous. Dois ,000 ,000 ,000 ,000 ,000 ,000 ,000
<ul> <li>Only include leases until the business is fully operating.</li> <li>Provide actual cash or in-kind outlays, not depreciation.</li> <li>Use the expanding U.S. <u>affiliate</u>'s fiscal calendar for determining year</li> </ul>	550 551 552 553 554 555 556 556 557 558 559 <b>Sum of all yearly costs</b>	Fiscal Year	2 2 2 2 2 2 2 2 2 2 2 2 2	Mil. Tr	nous. Dois ,000 ,000 ,000 ,000 ,000 ,000 ,000

NOTE: BEA will request updated project information each year until final data are collected.

## 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-13D form is estimated to average 1.2 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 Boad, 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 our 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.

# and is pro current for and uso industry codes

Note: "ISI codes" are International Surveys Industry codes, as given in the *Guide to Industry Classifications for International Surveys, 2017,* available at www.bea.gov/naics2017. See the Summary of Industry Classifications on page 10 of this form.

- 01 Government and government-owned or -sponsored enterprise, or quasi-government organization or agency
- **02** Pension fund Government run
- **03** Pension fund Privately run
- 04 Estate, trust, or nonprofit organization
- 05 Individual

# Private business enterprise, investment organization, or group engaged in:

- 06 Insurance (ISI codes 5242, 5243, 5249)
- **07** Agriculture, forestry, fishing and hunting (ISI codes 1110–1140)
- 08 Mining (ISI codes 2111-2127)
- 09 Construction (ISI codes 2360-2380)
- 10 Transportation and warehousing (ISI codes 4810–4939)
- 11 Utilities (ISI codes 2211-2213)
- 12 Wholesale and retail trade (ISI codes 4231–4540)
- 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)

- 17 Information (ISI codes 5111–5191)
- 18 Professional, scientific, and technical services (ISI codes 5411–5419)
- 19 Other services (ISI codes 1150, 2132, 2133, 5321, 5329, and 5611–8130)

Manufacturing, including fabricating, assembling, and processing of goods:

- **20** Food (ISI codes 3111–3119)
- 21 Beverages and tobacco products (ISI codes 3121 and 3122)
- 22 Pharmaceuticals and medicine (ISI code 3254)
- 23 Other chemicals (ISI codes 3251-3259, except 3254)
- 24 Nonmetallic mineral products (ISI codes 3271-3279)
- 25 Primary and fabricated metal products (ISI codes 3311–3329)
- **26** Computer and electronic products (ISI codes 3341–3346)
- 27 Machinery (ISI codes 3331-3339)
- 28 Electrical equipment, appliances and components (ISI codes 3351-3359)
- 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 enterprise.

## 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 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

 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.

**United States**, when used in a geographic 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 description of each classification, see www.bea.gov/naics2017

Motion picture and video industries

Radio and television broadcasting Cable and other subscription programming Wired and wireless telecommunications

 Finance and Insurance

 5221
 Depository credit intermediation (Banking)

 5223
 Activities related to credit intermediation

Securities and commodity contract

carriers Directife insurance carriers

**Feal Estate and Rental and Leasing** 5310 Real estate

Professional, Scientific, and Technical

except copyrighted works

payroll services

services

services

companies

offices

intermediation and brokerage Other financial investment activities and

Agencies, brokerages, and other insurance

Funds, trusts, and other financial vehicles

Automotive equipment rental and leasing Other rental and leasing services Lessors of nonfinancial intangible assets,

Legal services Accounting, tax preparation, bookkeeping, and

Architectural, engineering, and related services Specialized design services Computer systems design and related services

Management, scientific, and technical consulting

Advertising, public relations, and related services

Corporate, subsidiary, and regional management

Travel arrangement and reservation services

Waste management and remediation services

Scientific research and development services

Other professional, scientific, and technical

Management of Companies and Enterprises 5512 Holding companies, except bank holding

Administrative and Support and Waste Management and Remediation Services

Investigation and security services Services to buildings and dwellings

Office administrative services Facilities support services Employment services

Business support services

Other support services

**Health Care and Social Assistance** 

Ambulatory health care services Hospitals

Accommodation and Food Services

7220 Food services and drinking places

Nursing and residential care facilities Social assistance

**Entertainment, and Recreation** 

Performing arts, spectator sports, and related industries

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

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Museums, historical sites, and similar institutions

Amusement, gambling, and recreation industries

**Educational Services** 

7210 Accommodation

**Public Administration** 

Public administration

**Other Services** 

6110 Educational services

related activities Insurance carriers, except direct life insurance

Data processing, hosting, and related services Other information services

Non-depository credit intermediation, except pranches and agencies Nondepository branches and agencies

Sound recording industries

Satellite telecommunications

Other telecommunications

5121 5122

5151

5152 5173

5174

5179

5182 5191

5224

5229

5231

5238

5249

5252

5310

5321

5329

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5611 5612

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5619

5620

6210 6220

6230

6240

Arts,

7110

7121

7130

8110

8120

8130

9200

Services

carriers

exchanges

<b>Agric</b> 1110	ulture, Forestry, Fishing, and Hunting Crop production	3334	Ven
1120	Animal production	3335	Meta
1130	Forestry and logging	3336	Engi
1140	Fishing, hunting, and trapping	0000	trans
1150	Support activities for agriculture and forestry	3339	Othe
		3341	Com
<b>Minin</b> 2111	Oil and gas extraction	3342	Com
2121	Coal	3343	Aud
2123	Nonmetallic minerals	3344	Sem
2124	Iron ores	3345	Navi
2125	Gold and silver ores		and
2126	Copper, nickel, lead, and zinc ores	3346	Man
2127	Other metal ores		and
2132	Support activities for oil and gas operations	3351	Elec
2133	Support activities for mining, except for oil and	3352	Hou
	gas operations	3353	Elec
Utilit		3359	Othe
2211	Electric power generation, transmission, and	3361	Moto
2211	distribution	3362	Moto
2212	Natural gas distribution	3363	Moto
2213	Water, sewage, and other systems	3364	Aero
	, , ,	3365	Rail
	truction	3366	Ship
2360	Construction of buildings	3369 3370	Othe Furr
2370	Heavy and civil engineering construction	3391	Med
2380	Specialty trade contractors	0000	Oth

## Manufacturing

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

Page 10

Industrial machinery Commercial and service industry machinery 3333

- ntilation, heating, air-conditioning, I commercial refrigeration equipment alworking machinery gines, turbines, and power ismission equipment er general purpose machinery nputer and peripheral equipment

  - dio and video equipment niconductors and other electronic components
  - rigational, measuring, electromedical, control instruments
  - nufacturing and reproducing magnetic l optical media
  - ctric lighting equipment usehold appliances
  - ctrical equipment
  - longe er electrical equipment and components
  - for vehicles UTP05242

5

- or vehicle bodies and trailers
- or vehicle parts
- ospace products and parts
- Iroad rolling stock p and boat building

- Sobo Train do tom y sobok
   Ship and boat building
   Other transportation equipment
   Turniture and related products
   Medical equipment and supplies
   Other miscellaheous manufacturing
   Wholesale Trade, Durable Goods
   Motor vehicles and motor vehicle parts and supplies
   Eurniture and other construction matter Lumber and other construction materials Professional and commercial 4233 4234 equipment and supplies equipment and supplies Metat and mineral (except petroleum) Electrical and electronic goods Hardware, and plumbing and heating equipment and supplies 4235 4236 4237 Machinery, equipment, and supplies Miscellaneous durable goods 4238 4239 Wholesale Trade, Nondurable Goods 2241 Paper and paper product 4242 Drugs and druggists' sundries
- Apparel, piece goods, and notions Grocery and related product Farm product raw material 4243
- 4244
- 4245
- 4246 4247
- Chemical and allied products Petroleum and petroleum products Beer, wine, and distilled alcoholic beverage 4248
- 4249 Miscellaneous nondurable goods

## Wholesale Trade, Electronic Markets and

## Agents and Brokers 4251 Wholesale electronic markets and

agents and brokers

**Retail Trade** 

4810

4821

4833

4839

4840

4850

4863

4868

4870

4880

4920

4932

4939

5111

5112

Information

publishers Software publishers

- 4410 4420 Motor vehicle and parts dealers
- Furniture and home furnishings Electronics and appliance
- 4431
- 4440 Building material and garden
- equipment and supplies dealers Food and beverage 4450
- 4461 Health and personal care
- 4471 4480 Gasoline stations
- Clothing and clothing accessories Sporting goods, hobby, book, and music General merchandise 4510
- 4520
- 4530 Miscellaneous store retailers 4540 Nonstore retailers

Air transportation

### Transportation and Warehousing

Rail transportation Petroleum tanker operations

Transit and ground passenger transportation Pipeline transportation of crude oil, refined

Newspaper, periodical, book, and directory

petroleum products, and natural gas

Support activities for transportation

Petroleum storage for hire Other warehousing and storage

Other pipeline transportation Scenic and sightseeing transportation

Other water transportation

Couriers and messengers

Truck transportation



## **MANDATORY - CONFIDENTIAL**

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

## (2019 FYE Cost Update for Projects Originally Reported on Forms BE-13B and BE-13D)

Please enter the Project Name, BEA ID and 108 Transaction Date from the letter you received: Project Name		105 1 ame:				
	BE/	005 3 A ID:	Transaction Date	1 1 ::/_	Day /	Year — — —
		01		philoc		
Electronic filing:	Go to <u>www.bea.gov/efile</u> for details	0.	Company Name			
Fax reports to:	(301) 278-9504					
	U.C. Demostry and of Commonse	01	In Care Of			
Mail reports to:	rts to: U.S. Department of Commerce Bureau of Economic Analysis					
Direct Investment Division, BE-49(NI) 4600 Silver Hill Road	01	2 Attention				
Washington, DC 20233		01	<sup>3</sup> Street 1			
Deliver reports to: U.S. Department of Commerce Bureau of Economic Analysis			1			
	Direct Investment Division, BE-49(NI) 4600 Silver Hill Road	01	4 Street 2 1			
	Suitland, MD 20746	01	5 City 1	State 2	Zip 3	
Assistance:	E-mail: be13@bea.gov		Country			
	Telephone: (301) 278-9419 Copies of form: <u>www.bea.gov/be13</u>		Country 4			

Due date: No later than 45 days after the request date.

Who must report: A BE-13E report must be filed by a U.S. business enterprise that previously filed a BE-13B or BE-13D each year until final data are collected.

**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-13E form is estimated to average 45 minutes 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.

## **BE-13E – 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,

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

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



## **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.

O25         Name         Title         Fax Number           1         2         3	024	Signature of Authorized Official	Date	Telephone Number 1 ()	Extension 2
	025	Name 1	Title 2	3 (	

BE-13E – Project Information Update	
Please provide updates to the information reported on a previously filed BE-13B, BE-13D, or BE-13E:	
	Month Day Year $\sqrt{2019}$
What was the end date for the fiscal year ending in 2019?40	//2019
2 Was this new business or facility under development, as of the date given in 1?	
<sup>508</sup> <sup>1</sup> <b>1</b> Yes <sup>1</sup> <b>2</b> No, the project has yet to begin	Month Day Year
3 No, the project is complete – Provide completion date.	//
<ul> <li>What is the total expected cost associated with setting up this new operation or facility 3 er Valid No.</li> <li>Include actual completed and projected future expenditures</li></ul>	
<ul> <li>What is the total expected cost associated with setting up this new operation or facility?</li> <li>What are the actual completed and projected future expenditures</li></ul>	\$ Bil. Mil. Thous. Dols.
Include actual completed and projected future expenditures	dents.,000
<ul> <li>What are the actual completed expenditures and updated projected future expenditures, by fiscal year?</li> <li>Only include leases until the business is fully operating</li> </ul>	
• Provide actual cash or in-kind outlays, not depreciation.	\$ Bil. Mil. Thous. Dols.
• Use the business's liscal calendar for determining year, US3 for the orms survey	,000
orical of for myey on for an	<sup>2</sup> ,000
historideont sur mation 552 1	<sup>2</sup> ,000
This is pro curre linform 553	<sup>2</sup> ,000
4       What are the actual completed expenditures and updated projected future expenditures, by fiscal year?         • Only include leases until the business is fully operating.       • Provide actual cash or in-kind outlays, not depreciation.         • Use the business's fiscal calendar for determining year.       • Only include leases until the business is fully operating.         • Use the business's fiscal calendar for determining year.       • Only include leases until the business is fully operating.         • Use the business's fiscal calendar for determining year.       • Only include leases until the business is fully operating.         • Use the business's fiscal calendar for determining year.       • Only include leases until the business is fully operating.         • Use the business's fiscal calendar for determining year.       • Only include leases until the business is fully operating.         • Use the business's fiscal calendar for determining year.       • Only include leases until the business is fully operating.         • Use the business's fiscal calendar for determining year.       • Only include leases until the business is fully operating.         • Only include leases until the business is fully operating.       • Only include leases until the business is fully operating.         • Only include leases until the business is fully operating.       • Only include leases until the business is fully operating.         • Only include leases until the business is fully operating.       • Only include leases until the businest is fully operating.	<sup>2</sup> ,000
555 1	<sup>2</sup> ,000
556 1	<sup>2</sup> ,000
<ul> <li>What is the total expected cost associated with setting up this new operation of radiuty to the hold expected future expenditures.</li> <li>What are the actual completed and projected future expenditures and updated projected future expenditures, by fiscal year?</li> <li>Only include leases until the business is fully operating.</li> <li>Provide actual cash or in-kind outlays, not depreciation.</li> <li>Use the business's fiscal calendar for determining year.</li> <li>Use the business's fiscal calendar for determining year.</li> <li>Use the business's fiscal calendar for determining year.</li> <li>Use the business is fully operating.</li> <li>Use the business is fully operating.</li> <li>Use the business is for the provide of t</li></ul>	<sup>2</sup> ,000
558 1	<sup>2</sup> ,000
559 1	<sup>2</sup> ,000
Sum of all yearly expenditures in 4	,000
This should match the total reported in 3 The difference is currently:	,000
	,
5 How much of the expenditures (reported in 4) for the fiscal year ending in 2019, are for:	\$ Bil. Mil. Thous. Dols.
A. Land?	1
B. Property, plant, and equipment? Include construction. Exclude land	1
C. Intellectual property rights?	1
D. Fees, taxes, permits, and licenses?	,000
E. Other costs? Describe in notes section on page 2	,000
Sum of 5 A through 5 E: 75	,000
This should match the expenditures for 2019 reported in 4 The difference is currently:	,000

## **RETURN TO COVER PAGE FOR FILING INSTRUCTIONS**