OMB No. 0608-0034: Approval Expires xx/xx/xxxx | **BEA Identification Number** →

BEA
BUREAU OF ECONOMIC ANALYSIS
U.S. DEPARTMENT OF COMMERCE

MANDATORY — CONFIDENTIAL

2008 ANNUAL SURVEY OF FOREIGN DIRECT INVESTMENT IN THE UNITED STATES FORM BE-15B

DUE DATE: MAY 31, 2009

MAIL REPORTS TO: U.S. Department of Commerce
Bureau of Economic Analysis
BE-49(A)
Washington, DC 20230

OR

DELIVER REPORTS TO: U.S. Department of Commerce
Bureau of Economic Analysis, BE-49(A)
Shipping and Receiving Section, M100
1441 L Street, NW
Washington, DC 20005

OR

ELECTRONIC FILING: **www.bea.gov/efile**

OR

FAX REPORTS TO: (202) 606-1905*

*See the **NOTE** at the bottom of this page if you plan to fax your report to BEA.

Name and address of U.S. business enterprise – If a label has been affixed, make any changes directly on the label. If a label has not been affixed, enter the BEA Identification Number of this U.S. affiliate, if available, in the box at the upper right hand corner of this page.

1002 Name of U.S. affiliate
0

1010 c/o (care of)
0

1003 Street or P.O. Box
0

1004 City
0

0998 State
0

1005 ZIP Code
0

OR

Foreign Postal Code
0

ASSISTANCE**

Email:	**be12/15@bea.gov**
Telephone:	(202) 606-5577
Copies of blank forms:	**www.bea.gov/fdi**
Definitions of key terms:	See pages 15 and 16.

****Please include your BEA Identification number with all requests.**

Who must file BE-15B – Form BE-15B must be filed for a U.S. affiliate with total assets, sales or gross operating revenues, or net income greater than $120 million (positive or negative), except for majority-owned affiliates with total assets, sales or gross operating revenues, or net income greater than $275 million (positive or negative) (a BE-15A is required for these affiliates). For more information on filing requirements, see instruction I.2 on page 15. If you do not meet these filing criteria, see instruction I.A.1 starting on page 13 to determine which form to file.

MANDATORY CONFIDENTIALITY PENALTIES ➔ 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). The filing of reports is mandatory and the Act provides that your report to this Bureau is confidential. Whoever fails to report may be subject to penalties. See page 13 for more details.

PERSON TO CONSULT CONCERNING QUESTIONS ABOUT THIS REPORT — *Enter name and address*

1000 Name
0

1029 Address
0

1030 0

1031 0

1001 Telephone number | Area code | Number | Extension
0

0999 FAX number | Area code | Number
0

CERTIFICATION — The undersigned official certifies that this report has been prepared in accordance with the applicable instructions, is complete, and is substantially accurate except that, in accordance with instruction III.C. on page 16, estimates may have been provided.

Authorized official's signature | Date

0990 Print or type name
0

0991 Print or type title
0

0992 Telephone number
0

0993 FAX number
0

May FAX and/or email be used in correspondence between your enterprise and BEA, including FAX'ed reports, and/or to discuss questions relating to this survey that may contain confidential information about your company?

NOTE: The internet and telephone systems are not secure means of transmitting confidential information unless it is encrypted. If you choose to communicate with BEA via FAX or electronic mail, BEA cannot guarantee the security of the information during transmission, but will treat information we receive as confidential in accordance with Section 5(c) of the International Investment and Trade in Services Survey Act.

1027 Email: 1 1 ☐ Yes *(If yes, please print your email address.)* →
1 2 ☐ No

Email address *(Please print)*
0
1028

1032 FAX: 1 1 ☐ Yes
1 2 ☐ No

PART I – IDENTIFICATION OF U.S. AFFILIATE

IMPORTANT

Please review the **Instructions** starting on page 13 before completing this form. **Insurance and real estate companies** see Special Instructions starting on page 22.

- **Accounting principles** – If feasible use U.S. Generally Accepted Accounting Principles to complete Form BE-15 unless you are requested to do otherwise by a specific instruction. References in the instructions to Financial Accounting Standards Board Statements are referred to as "FAS."
- **U.S. affiliate's 2008 fiscal year** – The affiliate's financial reporting year that had an ending date in calendar year 2008.
- **Consolidated reporting** – A U.S. affiliate must file on a fully consolidated **domestic U.S.** basis, including in the consolidation ALL **U.S. affiliates** in which it directly or indirectly owns more than 50 percent of the outstanding voting interest. The consolidation rules are found in instruction IV.2. on page 16.
- **Rounding –** Report currency amounts in U.S. dollars rounded to thousands (omitting 000).
  Do not enter amounts in the shaded portions of each line.
  Example – If amount is $1,334,891.00 report as: →

Bil.	Mil.	Thous.	Dols.
$	1	335	000

1. Which financial reporting standards will be used to complete this BE-15 report?
NOTE: Unless it is highly burdensome or not feasible, the BE-15 report should be completed using U.S. Generally Accepted Accounting Principles (U.S. GAAP).

1399 1 1 ☐ U.S. Generally Accepted Accounting Principles

1 2 ☐ International Financial Reporting Standards or other reporting standards, but with adjustments to correct for any material differences between U.S. GAAP and the reporting standards used. *Specify the reporting standards used.*

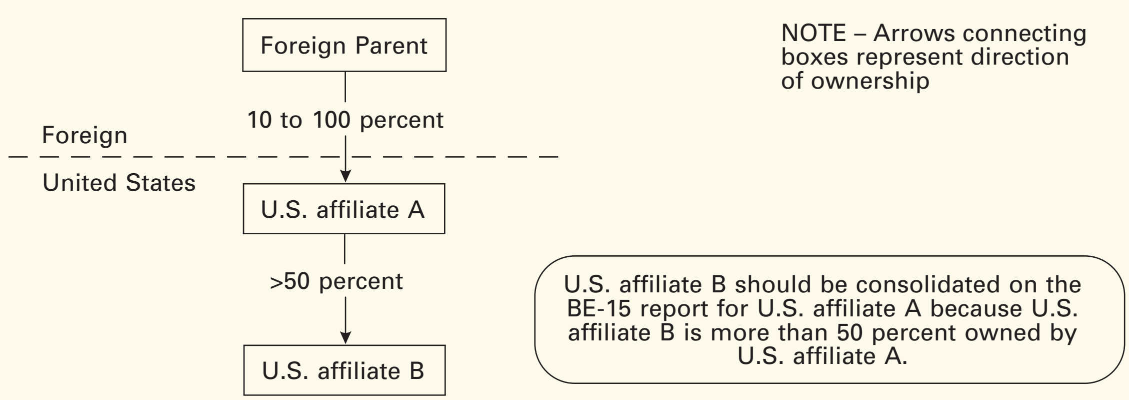
1 3 ☐ International Financial Reporting Standards or other reporting standards, but without adjustments to correct for any material differences between U.S. GAAP and the reporting standards used. *Specify the reporting standards used.*

2. Consolidated reporting by the U.S. affiliate – Is more than 50 percent of the voting interest in this U.S. affiliate owned by another U.S. affiliate of your foreign parent (see the diagram below for assistance in answering this question)?

1400 1 1 ☐ Yes — If "Yes" – Do not complete this report unless exception 2.c. described in the consolidation rules on page 16 applies. If this exception does not apply, please forward this BE-15 survey packet to the U.S. business enterprise owning your company more than 50 percent, and notify BEA of the action taken by filing BE-15 Claim for Exemption with item 2(d) completed on page 3 of that form. The BE-15 Claim for Exemption can be downloaded from our web site at: www.bea.gov/fdi

1 2 ☐ No — If "No" – Complete this report in accordance with the consolidation rules on pages 16.

CONSOLIDATION OF U.S. AFFILIATES



PART I – IDENTIFICATION OF U.S. AFFILIATE – Continued

3. Enter Employer Identification Number(s) used by the U.S. affiliate to file income and payroll taxes.

	Primary	Other
1006	1 –	2 –

4. REPORTING PERIOD – Reporting period instructions are found in instruction 4 starting on page 17. If there was a **change in fiscal year**, please review instruction 4.b. on page 17.

This U.S. affiliate's financial reporting year ended in **calendar year 2008** on → 1007 1 Month __ / Day __ / Year 2008

Example – If the financial reporting year ended on March 31, report for the 12-month period ended March 31, **2008**.

NOTE – Affiliates with a fiscal year that ended within the first week of January 2009 are considered to have a 2008 fiscal year and should report December 31, 2008 as their 2008 fiscal year end.

5. Did the U.S. business enterprise become a U.S. affiliate during its fiscal year that ended in calendar year 2008?

1008 1 1 ☐ Yes — If "Yes" – Enter date U.S. business enterprise became a U.S. affiliate and see instruction 5 on page 17 to determine how to report for the first time. → 1009 1 Month __ / Day __ / Year ____

1 2 ☐ No

NOTE – For a U.S. business enterprise that became a U.S. affiliate during its fiscal year that ended in calendar year 2008, leave the close FY 2007 data columns blank.

6. Is the U.S. affiliate named on page 1 separately incorporated in the United States, including its territories and possessions?

1011 1 1 ☐ Yes

1 2 ☐ No – Reporting rules for unincorporated affiliates are fund in instruction 6 starting on page 17. Reporting rules for real estate are found in instruction V.C. on page 22.

7. U.S. affiliates fully consolidated in this report – U.S. affiliates that are more than 50-percent foreign-owned must be fully consolidated in this report, except as noted in the consolidation rules on page 16.

Enter the number of U.S. affiliates consolidated in this report in the box below. Hereinafter they are considered to be one U.S. affiliate. If the report is for a single U.S. affiliate, enter "1" in the box below. **Exclude from the consolidation all foreign business enterprises or operations owned by this U.S. affiliate.**

1012 1 ☐ **Number – If number is greater than one, complete the Supplement A on page 9.**

8. U.S. affiliates NOT fully consolidated – *See instruction 8 on page 18.*

Number of U.S. affiliates, in which this U.S. affiliate has an ownership interest, that are NOT fully consolidated in this report.

1013 1 ☐ **Number – If number is not zero, complete the Supplement B on page 11.**

The U.S. affiliate named on page 1 must include data for unconsolidated U.S. affiliates on an equity basis, or using the **fair value option** per FAS 159 (The Fair Value Option for Financial Assets and Financial Liabilities), or, if less than 20 percent owned, in accordance with FAS 115 (Accounting for Certain Investments in Debt and Equity Securities) or the cost method of accounting. The U.S. affiliate named on page 1 also must notify the unconsolidated U.S. affiliates of their obligation to file a BE-15 in their own names (see pages 13 and 14 to determine the appropriate form for these affiliates to file).

PART I – IDENTIFICATION OF U.S. AFFILIATE – Continued

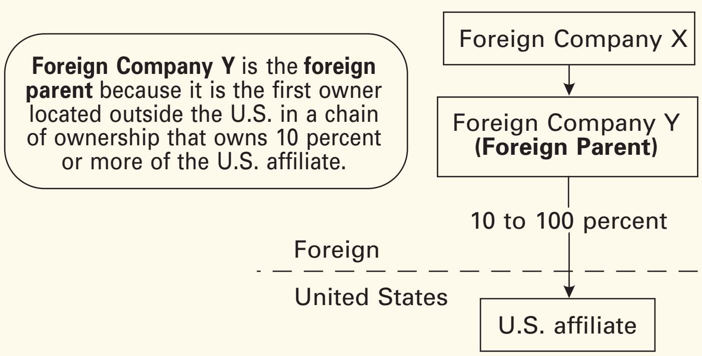
Ownership — Enter percent of ownership, in this U.S. affiliate, to a tenth of one percent, based on voting interest (or an equivalent interest if an unincorporated affiliate). "Voting interest" is defined in instruction 9–14 on page 18.

Foreign parent — A foreign parent is the FIRST person or entity outside the U.S. in a chain of ownership that has a 10 percent or more **voting** interest (direct or indirect) in this U.S. affiliate. The country of foreign parent is the country of incorporation or organization if the parent is a business enterprise, or of residence if the parent is an individual. For individuals, see instruction V.F. on page 23.

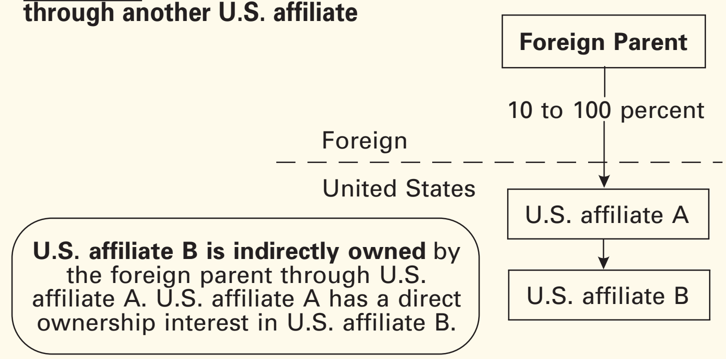
	Name of each direct owner	Country of foreign parent	Voting interest Close FY 2008 (1)	Voting interest Close FY 2007 (2)	BEA USE ONLY
Ownership held directly by foreign parent(s) of this affiliate—see example 1 below. Enter name and country of each foreign parent with direct ownership—if more than 2, continue on separate sheet.					
9.		1017	1 _ _ _ . _ %	2 _ _ _ . _ %	3
10.		1018	1 _ _ _ . _ %	2 _ _ _ . _ %	3
Ownership held indirectly by foreign parents of this U.S. affiliate through another U.S. affiliate — see example 2 below. Enter name of each U.S. affiliate that owns this affiliate and the country of the foreign parent — if more than 2, continue on separate sheet.					
11.		1063	1 _ _ _ . _ %	2 _ _ _ . _ %	3
12.		1064	1 _ _ _ . _ %	2 _ _ _ . _ %	3
13.	**Direct ownership held by all other persons** (do not list names)	1061	1 _ _ _ . _ %	2 _ _ _ . _ %	3
14.	**TOTAL of directly held ownership interests —** ***Sum of items 9 through 13.***		**100.0%**	**100.0%**	

EXAMPLES OF DIRECT AND INDIRECT FOREIGN OWNERSHIP

Example 1 – Ownership held directly by a foreign parent



Example 2 – Ownership held indirectly by a foreign parent through another U.S. affiliate



NOTE: Arrows connecting boxes represent direction of ownership

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, 2007.*

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 (that part of ISI code 5252 that is estates and trusts)

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 4231–4251 and 4410–4540)

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 manufacturing (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)

PART I – IDENTIFICATION OF U.S. AFFILIATE – Continued

15. Enter the name and industry code of the foreign parent. If there is more than one foreign parent, list each and its industry code on a separate sheet.

15a. Enter name of foreign parent. If the foreign parent is an individual enter "individual."

3011 0 ______________________________

15b. Enter the foreign parent industry code from the list of codes on page 4 that best describes the PRIMARY activity of the SINGLE entity named as the foreign parent. DO NOT base the code on the world-wide sales of all consolidated subsidiaries of the foreign parent. If the foreign parent is an individual, enter code "05."

3018 1 __________

16. For each foreign parent, furnish the name, country and industry code of the ultimate beneficial owner (UBO) – see UBO examples below. If there is more than one foreign parent, list each on a separate sheet and give the name of its UBO, and the UBO's country and industry codes. The UBO is that person or entity, proceeding up the ownership chain beginning with and including the foreign parent, that is not more than than 50 percent owned or controlled by another person or entity. See instruction II.O. on page 15 for the complete definition of UBO.

16a. Is the foreign parent also the UBO? If the foreign parent is owned our controlled more than 50 percent by another person or entity, then the foreign parent is NOT the UBO.

3019 1 1 ☐ **Yes** (as shown in example 1 below) – *Skip to 16d.*

1 2 ☐ **No** (as shown in examples 2A and 2B below) – *Continue with 16b.*

16b. Enter the name of the UBO of the foreign parent. If the UBO is an individual enter "individual." Identifying the UBO as "bearer shares" is not an acceptable response.

3021 0 ______________________________

16c. Enter country of the UBO. For individuals, see instruction V.F. on page 23.

______________________________ BEA USE ONLY 3022 1 __________

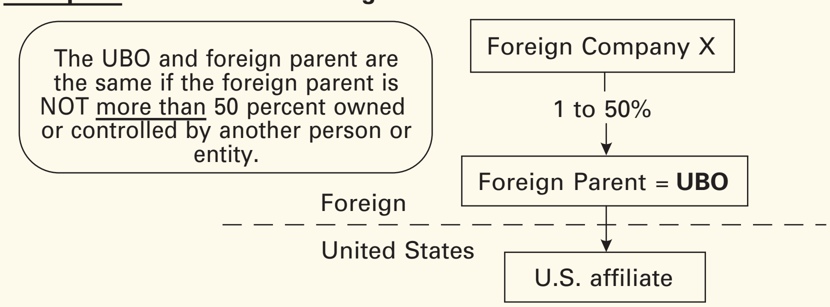
16d. Enter the industry code of the UBO from the list of codes on page 4. **NOTE –** Select the industry code that best reflects the consolidated world-wide sales of all majority-owned subsidiaries. If the UBO is an individual, enter code "05."

3023 1 __________ DO NOT use code "14" unless you receive permission from BEA.

EXAMPLES OF THE ULTIMATE BENEFICIAL OWNER (UBO)

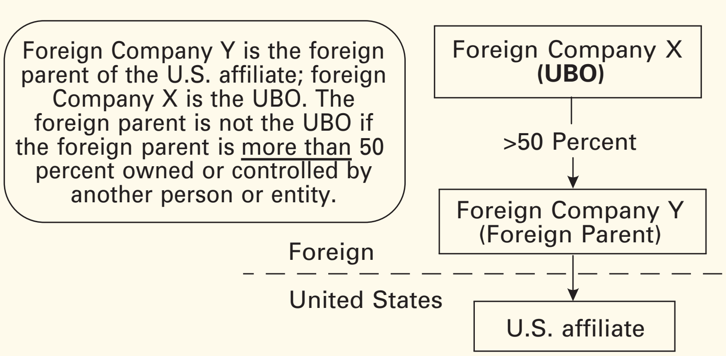
NOTE: Arrows connecting boxes represent direction of ownership

Example 1 – The UBO and Foreign Parent are the same

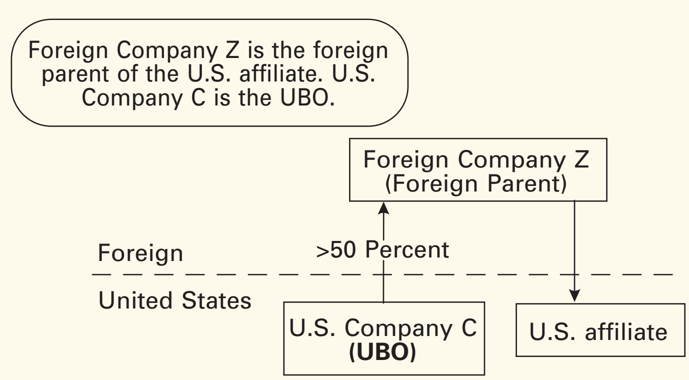


Examples 2A and 2B – The Foreign Parent is NOT the UBO

A. The UBO is a foreign person or entity



B. The UBO is a U.S. person or entity



PART II – FINANCIAL AND OPERATING DATA OF U.S. AFFILIATE

Section A – INDUSTRY CLASSIFICATION AND TOTAL SALES OF FULLY CONSOLIDATED U.S. AFFILIATE

17. What is (are) the major product(s) and/or service(s) of the fully consolidated U.S. affiliate? *If a product, also state what is done to it, i.e., whether it is mined, manufactured, sold at wholesale, transported, packaged, etc. (For example, "manufacture widgets.")*

1163 0

Enter the 4-digit International Surveys Industry (ISI) code(s) and the sales associated with each code in items 18 through 21 below. If you use fewer than four codes, you must account for total sales in items 18 through 20.

Column (1): ISI Code – For a full explanation of each code, see the *Guide to Industry Classifications for International Surveys, 2007.* A copy of this guide can be found at: www.bea.gov/naics2007. For an inactive affiliate, base the industry classification(s) on its last active period; for "start-ups" with no sales, show the intended activity(ies). **Holding company** (ISI code 5512) is often an invalid industry classification for a conglomerate. A conglomerate must determine its industry code based on the activities of the fully consolidated domestic U.S. business enterprise. **Book publishers, printers, and Real Estate Investment trusts see instructions 18–23 on page 18.**

Column (2): Sales – Total sales or gross operating revenues, excluding sales taxes – Gross sales minus, allowances, and discounts; or gross operating revenues.

INCLUDE

- **Total sales or gross operating revenues, excluding sales taxes –** Gross sales minus returns, allowances, and discounts; or gross operating revenues.
- Revenues generated during the year from the operations of a discontinued business segment.
- ONLY finance and insurance companies and units should report dividends and interest. Companies involved with repos and reverse repos see instructions 18–23 on page 18.
- Total income of **holding companies** including income (loss) from equity investments in unconsolidated U.S. affiliates and all foreign entities, certain gains (losses), other income, plus sales and gross operating revenue, if any.

EXCLUDE

- Sales or consumption taxes levied directly on the consumer.
- Excise taxes levied directly on manufacturers, wholesalers, and retailers.
- Gains or losses from DISPOSALS of discontinued operations and gains and losses from derivative instruments.
- Dividends and interest earned by non-finance and non-insurance companies and units.

		ISI code (1)	Sales (2) Bil. Mil. Thous.	Dols.
18. Enter code with largest sales	1164	1	2 $	000
19. Enter code with 2nd largest sales	1165	1	2 $	000
20. Enter code with 3rd largest sales	1166	1	2 $	000
21. Enter code with 4th largest sales	1167	1	2 $	000
22. Sales not accounted for above – Items 18 through 21 must all have entries if amounts are entered on this line.	1173		2 $	000
23. TOTAL SALES OR GROSS OPERATING REVENUES (excluding sales taxes) – Sum of items 18 through 22, columns (2)	1174	1	2 $	000

Section B – OTHER FINANCIAL AND OPERATING DATA FOR FY 2008

		Bil. Mil. Thous.	Dols.
24. Net income (loss) – after provision for U.S. Federal, state, and local income taxes	2159	1 $	000
25. Total employee compensation for FY 2008 — Base compensation on payroll records. Employee compensation must cover compensation charged as an expense on the income statement, charged to inventories, or capitalized during the reporting period. INCLUDE wages and salaries and employee benefit plans. EXCLUDE compensation related to activities of a prior period, such as compensation capitalized or charged to inventories in prior periods. EXCLUDE compensation of contract workers and other workers not carried on the payroll of this U.S. affiliate. See instruction 25 starting on page 18.	2253	1 $	000
26. Expenditures for research and Development (R&D) performed BY the U.S. affiliate — INCLUDE all costs incurred in performing R&D, including depreciation, amortization, wages and salaries, taxes, materials and supplies, overhead — whether or not allocated to others — and all other indirect costs. EXCLUDE the cost of R&D funded by the U.S. affiliate but performed by others. See instructions 26 on page 19.	2403	1 $	000
27. Expenditures for property, plant, and equipment for FY 2008 — INCLUDE all purchases by, or transfers (at net book value) to, the U.S. affiliate of land, mineral and timber rights, and other property, plant and equipment. Also INCLUDE capitalized **and** expensed exploration and development expenditures. EXCLUDE expenditures made in prior years that are reclassified in the current year. Also EXCLUDE land and other property, plant and equipment obtained through the acquisition of or merger with another company during the year. DO NOT net out sales and other dispositions of property, plant, and equipment from the expenditures reported on this line.	2390	1 $	000
28. Gross book value (at historical cost) of all land and other property, plant, and equipment at close of FY 2008	2397	1 $	000

PART II – FINANCIAL AND OPERATING DATA OF U.S. AFFILIATE – Continued

Section C – U.S. TRADE IN GOODS BY U.S. AFFILIATE ON A SHIPPED BASIS

Report the value of goods exported and imported by the U.S. affiliate during the fiscal year that ended in calendar year 2008. EXCLUDE services. Software publishers see the discussion under packaged general use computer software on page 20. Report amounts on a "shipped basis." See instruction 29–30 starting on page 19 for details of what to include on these lines.

		Bil. Mil. Thous. Dols.
29. TOTAL EXPORTS, INCLUDING CAPITAL GOODS – Shipped by U.S. affiliate to foreign persons (valued f.a.s. U.S. port) in the fiscal year that ended in calendar year 2008.	2502	1 $ 000
30. TOTAL IMPORTS, INCLUDING CAPITAL GOODS – Shipped to U.S. affiliate by foreign persons (valued f.a.s. foreign port) in the fiscal year that ended in calendar year 2008.	2515	1 $ 000

Section D – BALANCE SHEET
Insurance companies see page 22 for special instructions.

		Close FY 2008 Bil. Mil. Thous. Dols.	
31. Total assets	2109	1 $ 000	
32. Total liabilities	2114	1 $ 000	1 3 ☐ **Please check box if total liabilities are zero**
33. Total owners' equity—Item 31 minus item 32	2120	1 $ 000	

Section E – SCHEDULE OF EMPLOYMENT BY LOCATION

34. Did you have more than 500 employees in the fiscal year that ended in calendar year 2008 (EXCLUDE contract workers and other workers not carried on the payroll of this U.S. affiliate)?

1102 1 1 ☐ Yes – Provide data for up to **fifteen** primary states in which this affiliate has employees. If the affiliate has employees in more than fifteen states, sum the data for the remaining states on line 50.

1 2 ☐ No – Provide data for up to **five** primary states in which this affiliate has employees. If this affiliate has employees in more than five states, sum the data for the remaining states on line 50.

1 3 ☐ Please check box if you have no employees

Complete this schedule for the five or fifteen states (see above) in which the U.S. affiliate has the most employees.

Include in this schedule only employees of those U.S. business enterprises that are fully consolidated into the reporting U.S. affiliate.

Do not consolidate or include employees of foreign business enterprises or operations, whether incorporated or unincorporated.

Include all employees on the payroll at the end of the fiscal year that ended in calendar year 2008, including part-time employees. EXCLUDE contract workers.

A count taken at some other date during the reporting period may be given provided it is a reasonable estimate of the number on the payroll at the end of the fiscal year.

Location of employees is the U.S. state, territory, or possession in which the person is permanently employed.

Reporting employment (including how to report when employment is subject to unusual variations) is discussed in more detail in instructions 34–51 starting on page 20.

STATE – Enter name (if applicable, enter name of U.S. territory or possession, or U.S. off-shore oil and gas sites, on the lines below.)		Number of employees at the end of FY 2008
35.		3
36.		3
37.		3
38.		3
39.		3
40.		3
41.		3
42.		3
43.		3
44.		3
45.		3
46.		3
47.		3
48.		3
49.		3
50. Employment not accounted for above	2764	3
51. TOTAL – Sum of items 35 through 50	2700	3

52. Administrative office and other auxiliary employees – Of the total number of employees reported in item 51 above, how many are administrative office and other auxiliary unit employees? INCLUDE employees at corporate headquarters, central administrative, and regional offices, and operating units that provide administration and management or support services (such as accounting, data processing, legal, research and development and testing, and warehousing) to more than one U.S. operating unit. **EXCLUDE employees that provide administration and management or support services for one unit.** 1178

Number of employees
3

PART II – FINANCIAL AND OPERATING DATA OF U.S. AFFILIATE – Continued

Section F — OTHER FINANCIAL AND OPERATING DATA (MAJORITY-OWNED U.S. AFFILIATES)

53. Did the ownership (both direct and indirect) by ALL foreign parents in the voting securities (or an equivalent interest) of this U.S. affiliate EXCEED 50 percent as of the end of the U.S. affiliate's fiscal year that ended in calendar year 2008? "Voting interest" is defined in instructions 9–14 on page 18.

1101 1 1 ☐ **Yes** – Answer items 54 through 63   1 2 ☐ **No** – **STOP.** You have completed the BE-15B.

NOTE: Complete items 54 through 63 ONLY if item 53 is answered "Yes"		Bil. Mil. Thous.	Dols.
54. Certain gains (losses), included in item 24, net income (loss) – Report at gross amount **before** income tax effect. See instruction 54 starting on page 20 for details of what to include on this line.	2151	1 $	000
55. Income taxes – Provision for U.S. Federal, state, and local incomes taxes. INCLUDE the income tax effect of certain gains (losses) reported in item 54. EXCLUDE production royalty payments.	2156	1 $	000
56. Interest income from all sources (including foreign parents and affiliates), after deduction of taxes withheld by the payer. Do not net against interest expense (item 57).	2400	1 $	000
57. Interest expense plus interest capitalized, paid or due to all payees (including to foreign parents and affiliates), before deduction of U.S. tax withheld by the affiliate. Do not net against interest income (item 56).	2401	1 $	000

DISTRIBUTION OF SALES OR GROSS OPERATING REVENUES

Distribute sales or gross operating revenues among three categories — sales of goods, sales of services, and investment income. For the purpose of this distribution, "goods" are normally outputs that are tangible and "services" are normally outputs that are intangible. When a sale consists of both goods and services and cannot be unbundled (i.e., the goods and services are not separately billed), classify the sales as goods or services based on whichever accounts for a majority of the value. Give best estimates if actual figures are not available.

NOTE — BEFORE COMPLETING THIS SECTION, PLEASE SEE THE INSTRUCTIONS FOR ITEMS 58 THROUGH 63 ON PAGE 21. Insurance companies also see page 22, instruction V.A. for special instructions.

Utilities and Oil & Gas Producers and Distributors — To the extent feasible, revenues are to be allocated between sales of goods and sales of services. Revenues earned from the sale of a product (e.g., electricity, natural gas, oil, water, etc.) are to be reported as sales of goods. Revenues earned from the distribution or transmission of a product (e.g., fees received for the use of transmission lines, pipelines, etc.) are to be reported as sales of services.

		Bil. Mil. Thous.	Dols.
58. TOTAL SALES OR GROSS OPERATING REVENUES, EXCLUDING SALES TAXES — Equals item 23, column (2) on page 6, and also sum of items 59 through 61	2243	1 $	000
59. Sales of Goods	2244	1 $	000
60. Investment income included in gross operating revenues. Include ALL interest and dividends generated by finance and insurance subsidiaries or units.	2245	1 $	000
61. Sales of Services, Total — Sum of items 62 through 63	2246	1 $	000
62. To U.S. persons or entities	2247	1 $	000
63. To foreign persons	2257	1 $	000

BEA USE ONLY

1200	1	2	3	4	5
1201	1	2	3	4	5
1202	1	2	3	4	5
1203	1	2	3	4	5

FORM **BE-15B Supplement A (2008)**
(REV. 2/2009)

U.S. DEPARTMENT OF COMMERCE
BUREAU OF ECONOMIC ANALYSIS

BEA USE ONLY | Page number

LIST OF ALL U.S. AFFILIATES FULLY CONSOLIDATED INTO THE REPORTING U.S. AFFILIATE

NOTE – If you filed a Supplement A or a computer printout of Supplement A with your 2007 BE-12 report, in lieu of completing a new Supplement A, you may substitute a copy of that Supplement A or computer printout that has been updated to show any additions, deletions, or other changes.

Name of U.S. affiliate as shown on page 1, of BE-15B

Supplement A must be completed by a reporting affiliate that consolidates financial and operating data of any other U.S. affiliate(s). The number of U.S. affiliates listed below plus the reporting U.S. affiliate must agree with item 7, Part I of Form BE-15B. Continue listing onto as many additional copied pages as necessary.

Primary Employer Identification Number as shown in item 3, Part I of BE-15B 5110 1 –

BEA USE ONLY (1)	Name of each U.S. affiliate consolidated (as represented in item 7, Part I) (2)	Employer Identification Number used by U.S. affiliate listed in column (2) to file income and payroll taxes (3)	Name of U.S. affiliate which holds the direct ownership interest in the U.S. affiliate listed in column (2) (4)	Percentage of direct **voting** ownership that the U.S. affiliate named in column (4) holds in the U.S. affiliate named in column (2). – *Enter percentage to nearest tenth.* (5)
5111 1	2	3 –	4	5 . %
5112 1	2	3 –	4	5 . %
5113 1	2	3 –	4	5 . %
5114 1	2	3 –	4	5 . %
5115 1	2	3 –	4	5 . %
5116 1	2	3 –	4	5 . %
5117 1	2	3 –	4	5 . %
5118 1	2	3 –	4	5 . %
5119 1	2	3 –	4	5 . %
5120 1	2	3 –	4	5 . %
5121 1	2	3 –	4	5 . %
5122 1	2	3 –	4	5 . %
5123 1	2	3 –	4	5 . %
5124 1	2	3 –	4	5 . %
5125 1	2	3 –	4	5 . %
5126 1	2	3 –	4	5 . %
5127 1	2	3 –	4	5 . %
5128 1	2	3 –	4	5 . %
5129 1	2	3 –	4	5 . %
5130 1	2	3 –	4	5 . %
5131 1	2	3 –	4	5 . %
5132 1	2	3 –	4	5 . %
5133 1	2	3 –	4	5 . %

BE-15B Supplement A (2008) – LIST OF ALL U.S. AFFILIATES FULLY CONSOLIDATED INTO THE REPORTING U.S. AFFILIATE – Continued | Page number

BEA USE ONLY (1)	Name of each U.S. affiliate consolidated (as represented in item 7, Part I) (2)	Employer Identification Number used by U.S. affiliate listed in column (2) to file income and payroll taxes (3)	Name of U.S. affiliate which holds the direct ownership interest in the U.S. affiliate listed in column (2) (4)	Percentage of direct **voting** ownership that the U.S. affiliate named in column (4) holds in the U.S. affiliate named in column (2). – *Enter percentage to nearest tenth.* (5)
1 5134	2	3 –	4	5 . %
1 5135	2	3 –	4	5 . %
1 5136	2	3 –	4	5 . %
1 5137	2	3 –	4	5 . %
1 5138	2	3 –	4	5 . %
1 5139	2	3 –	4	5 . %
1 5140	2	3 –	4	5 . %
1 5141	2	3 –	4	5 . %
1 5142	2	3 –	4	5 . %
1 5143	2	3 –	4	5 . %
1 5144	2	3 –	4	5 . %
1 5145	2	3 –	4	5 . %
1 5146	2	3 –	4	5 . %
1 5147	2	3 –	4	5 . %
1 5148	2	3 –	4	5 . %
1 5149	2	3 –	4	5 . %
1 5150	2	3 –	4	5 . %
1 5151	2	3 –	4	5 . %
1 5152	2	3 –	4	5 . %
1 5153	2	3 –	4	5 . %
1 5154	2	3 –	4	5 . %
1 5155	2	3 –	4	5 . %
1 5156	2	3 –	4	5 . %
1 5157	2	3 –	4	5 . %
1 5158	2	3 –	4	5 . %
1 5159	2	3 –	4	5 . %

OMB No. 0608-0034: Approval Expires xx/xx/xxxx

FORM **BE-15B Supplement B (2008)**
(REV. 2/2009)

U.S. DEPARTMENT OF COMMERCE
BUREAU OF ECONOMIC ANALYSIS

BEA USE ONLY | Page number

Name of U.S. affiliate as shown on page 1, of BE-15B

LIST OF ALL U.S. AFFILIATES IN WHICH THE REPORTING AFFILIATE (AS CONSOLIDATED) HAS A DIRECT OWNERSHIP INTEREST BUT WHICH ARE NOT FULLY CONSOLIDATED

NOTE – If you filed a Supplement B or a computer printout of Supplement B with your 2007 BE-12 report, in lieu of completing a new Supplement B, you may substitute a copy of that Supplement B or computer printout that has been updated to show any additions, deletions, or other changes.

Supplement B must be completed by a reporting affiliate which files a BE-15B and has a direct ownership interest in a U.S. affiliate(s) which is (are) not fully consolidated. The number of U.S. affiliates listed below must agree with item 8, Part I , of BE-15B. Continue listing onto as many additional copied pages as necessary.

BEA USE ONLY (1)	Name of each U.S. affiliate in which a direct interest is held but that is not listed in Supplement A (2)	Address of each U.S. affiliate listed in column (2) *Give number, street, city, state, and ZIP Code* (2)	Has each affiliate been notified of obligation to file? *Mark (X) one* (4)	Employer Identification Number used by U.S. affiliate listed in column (2) to file income and payroll taxes (5)	Percentage of direct **voting** ownership interest that the fully consolidated U.S. affiliate named on page 1 of this Form BE-15B, holds in the U.S. affiliate named in column (2). – *Enter percentage to nearest tenth.* (6)
1 6211	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6212	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6213	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6214	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6215	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6216	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6217	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6218	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6219	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6220	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6221	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %

BE-15B Supplement B (2008) – LIST OF U.S. AFFILIATES – Continued

Page number

BEA USE ONLY (1)	Name of each U.S. affiliate in which a direct interest is held but that is not listed in Supplement A (2)	Address of each U.S. affiliate listed in column (2) *Give number, street, city, state, and ZIP Code* (2)	Has each affiliate been notified of obligation to file? *Mark (X) one* (4)	Employer Identification Number used by U.S. affiliate listed in column (2) to file income and payroll taxes (5)	Percentage of direct **voting** ownership interest that the fully consolidated U.S. affiliate named on page 1 of this Form BE-15B, holds in the U.S. affiliate named in column (2). – *Enter percentage to nearest tenth.* (6)
1 6222	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6223	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6224	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6225	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6226	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6227	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6228	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6229	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6230	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6231	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6232	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %
1 6233	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 6 . %
1 6234	2	3	4 1 ☐ Yes 2 ☐ No	5 –	6 . %

2008 ANNUAL SURVEY OF FOREIGN DIRECT INVESTMENT IN THE UNITED STATES
BE-15B INSTRUCTIONS

NOTE: Instructions in section IV are cross referenced by number to the items located on pages 2 to 12 of this form.

Authority – This survey is being conducted pursuant to 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).

A response is required from persons (in the broad sense, including companies) subject to the reporting requirements of the BE-15 survey, whether or not they are contacted by BEA. Also, persons contacted by BEA concerning their being subject to reporting, either by sending them a report form or by written inquiry, must respond pursuant to section 806.4 of 15 CFR, Chapter VIII. This may be accomplished by completing and submitting Form BE-15A, BE-15B, BE-15(EZ), or BE-15 Claim For Exemption, whichever is applicable, by **May 31, 2009**.

PENALTIES – Whoever fails to report shall be subject to a civil penalty of not less than $2,500, and not more than $25,000, and to injunctive relief commanding such person to comply, or both. These civil penalties are subject to inflationary adjustments. Those adjustments are found in 15 CFR 6.4. 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 violations, upon conviction, may be punished by a like fine, imprisonment or both (22 U.S.C. 3105).

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. The control number for this survey is at the top of page 1 of this form.

Respondent Burden – Public reporting burden for this BE-15B is estimated to vary from 75 minutes to 9 hours per response, with an average of 3.5 hours per response, including the 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 this burden, to Director, Bureau of Economic Analysis (BE-1), U.S. Department of Commerce, Washington, DC 20230; and to the Office of Management and Budget, Paperwork Reduction Project 0608-0034, 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.

I. REPORTING REQUIREMENTS

To determine which BE-15 report to file, read the following sections on this page and review the flow chart on page 14.

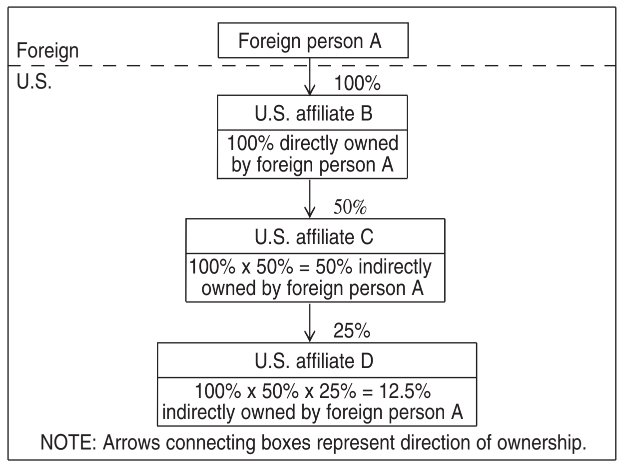
A. Who must report – A BE-15 report is required for each U.S. affiliate, i.e., for each U.S. business enterprise in which a foreign person or entity owned or controlled, directly or indirectly, 10 percent or more of the voting securities if an incorporated U.S. business enterprise, or an equivalent interest if an unincorporated U.S. business enterprise, at the end of the business enterprise's fiscal year that ended in calendar year 2008.

Foreign ownership interest – All direct and indirect lines of ownership held by a foreign person in a given U.S. business enterprise must be summed to determine if the enterprise is a U.S. affiliate of the foreign person for purposes of reporting.

Indirect ownership interest in a U.S. business enterprise is the product of the direct ownership percentage of the foreign parent in the first U.S. business enterprise in the ownership chain multiplied by that first enterprise's direct ownership percentage in the second U.S. business enterprise, multiplied by each succeeding direct ownership percentage of each other intervening U.S. business enterprise in the ownership chain between the foreign parent and the given U.S. business enterprise.

<u>**Example:**</u> In the diagram below, foreign person A owns 100% of the voting stock of U.S. affiliate B; U.S. affiliate B owns 50% of the voting stock of U.S. affiliate C; and U.S. affiliate C owns 25% of the voting stock of U.S. affiliate D. Therefore, U.S. affiliate B is 100% directly owned by foreign person A; U.S. affiliate C is 50% indirectly owned by foreign person A; and U.S. affiliate D is 12.5% indirectly owned by foreign person A.

Calculation of Foreign Ownership



A report is required even though the foreign person's voting interest in the U.S. business enterprise may have been established or acquired during the reporting period.

Beneficial, not record, ownership is the basis of the reporting criteria. Voting securities, voting stock, and voting interest all have the same general meaning and are used interchangeably throughout these instructions and the report forms.

Airline and ship operators – U.S. stations, ticket offices, and terminal and port facilities of foreign airlines and ship operators that provide services ONLY to the foreign airlines' and ship operators' own operation are not required to report. Reports are required when such enterprises produce significant revenues from services provided to unaffiliated persons.

1. Which form to file – Please review the questions below and the flow chart on page 14 to determine if your U.S. business is required to file Form BE-15B. Blank forms can be found at: www.bea.gov/fdi

a. Were at least 10 percent of the voting rights in your business directly or indirectly owned by a foreign person or entity at the end of your fiscal year that ended in calendar year 2008?

☐ Yes – *Continue with question b.* **NOTE: Your business is hereinafter referred to as a "U.S. affiliate."**

☐ No – You are not required to file Form BE-15B. File Form BE-15 Claim for Exemption by May 31, 2009.

I. REPORTING REQUIREMENTS – Continued

b. Were more than 50 percent of the voting rights in this U.S. affiliate owned by another U.S. affiliate at the end of this U.S. affiliate's fiscal year that ended in calendar year 2008?

☐ Yes – *Continue with question c.*

☐ No – *Skip to question d.*

c. Do different foreign persons hold a direct and an indirect ownership interest in this U.S. affiliate (exception c to the consolidation rules)? (The consolidation rules are found in instruction IV.2. starting on page 16.)

☐ Yes – *Continue with question d.*

☐ No – This U.S. affiliate must be consolidated on the BE-15 report of the U.S. affiliate that owns it more than 50 percent. File the BE-15 Claim for Exemption with page 1 and item 2(d) on page 3 completed by May 31, 2009, forward this survey packet to the U.S. affiliate that owns this affiliate more than 50 percent, and have them consolidate your data into their report.

d. Did **any one** of the items – Total assets, Sales or gross operating revenues, or Net income (loss) – for the U.S. affiliate (not just the foreign parent's share) exceed $40 million at the end of, or for, its fiscal year that ended in calendar year 2008?

☐ Yes – *Continue with question e.*

☐ No – You are not required to file a Form BE-15B. File Form BE-15 Claim for Exemption by May 31, 2009.

e. Did **any one** of the items – Total assets, Sales or gross operating revenues, or Net income (loss) – for the U.S. affiliate (not just the foreign parent's share) exceed $120 million at the end of, or for, its fiscal year that ended in calendar year 2008?

☐ Yes – *Skip to question h.*

☐ No – *Continue with question f.*

f. Did you file either a BE-12 or a BE-15 for a fiscal year that ended BEFORE January 1, 2008?

☐ Yes – *Continue with question g.*

☐ No – *File Form BE-15(EZ) by May 31, 2009.*

g. Did you receive a request in writing from BEA to file Form BE-15(EZ) for the fiscal year that ended in calendar year 2008?

☐ Yes – *File Form BE-15(EZ) by May 31, 2009.*

☐ No – *You are not required to file a BE-15 for your fiscal year that ended in calendar year 2008. However, please inform BEA if your affiliate name, address, or contract person has changed.*

h. Was the U.S. affiliate majority-owned by its foreign parent(s) at the end of its fiscal year that ended in calendar year 2008? (A U.S. affiliate is "majority-owned" if the combined direct and indirect ownership interests of all foreign parents of the U.S. affiliate exceed 50 percent.)

☐ Yes – *Continue with question i.*

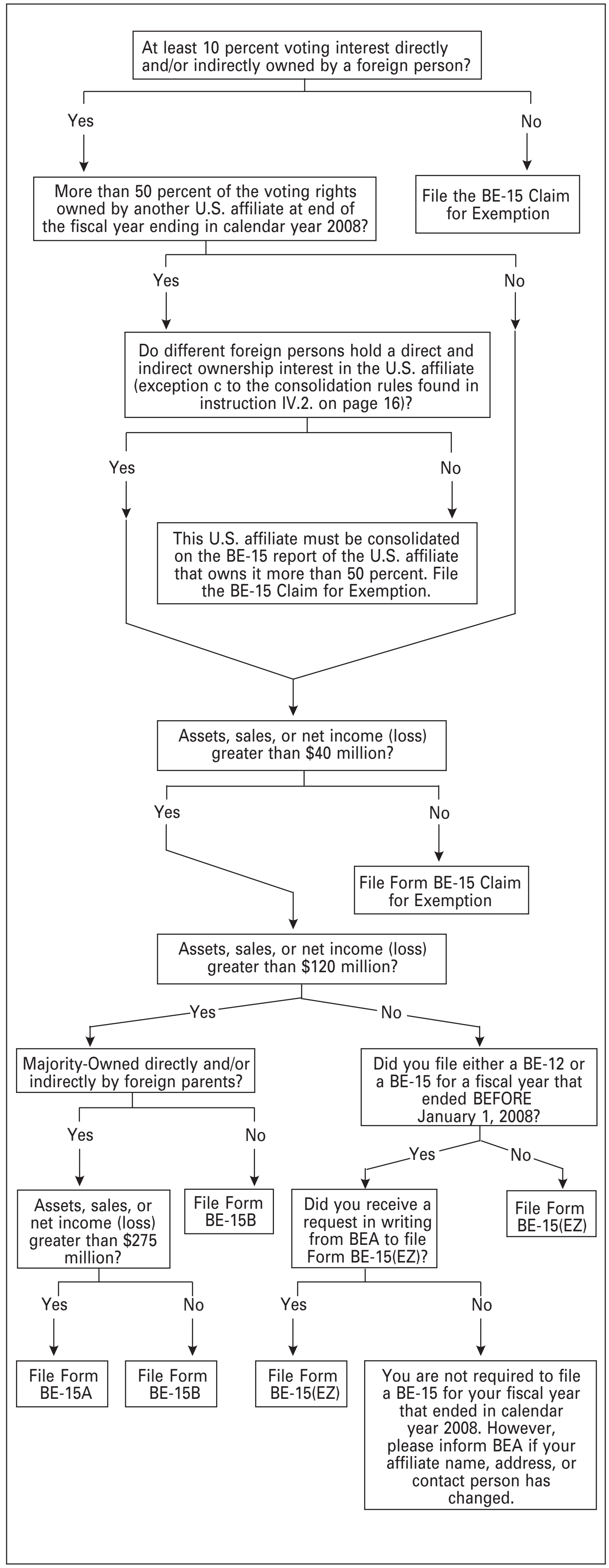
☐ No – *File Form BE-15B by May 31, 2009.*

i. Did **any one** of the items – Total assets, Sales or gross operating revenues, or Net income (loss) – for the U.S. affiliate (not just the foreign parent's share) exceed $275 million at the end of, or for, its fiscal year that ended in calendar year 2008?

☐ Yes – *File Form BE-15A by May 31, 2009.*

☐ No – *File Form BE-15B by May 31, 2009.*

Which 2008 BE-15 Form to File?



2. Who must file Form BE-15B – 2008 Annual Survey of Foreign Direct Investment in the United States?

A Form BE-15B must be completed and filed by May 31, 2009, by each U.S. business enterprise that was a U.S. affiliate of a foreign person at the end of its fiscal year that ended in calendar year 2008, if:

a. On a fully consolidated, or, in the case of real estate investments, an aggregated basis, any one of the following three items – Total assets (do not net out liabilities), **or** Sales or gross operating revenues, excluding sales taxes, **or** Net income after provision for U.S. income taxes – for the U.S. affiliate (not just the foreign parent's share) exceeded $120 million (positive or negative) at the end of, or for, its fiscal year that ended in calendar year 2008, **and** EITHER **b.** OR **c.** below is applicable.

b. The ownership or control (both direct and indirect) by **all** foreign parents in the **voting securities** of an incorporated U.S. business enterprise (or an equivalent interest of an unincorporated U.S. business enterprise) at the end of the fiscal year that ended in calendar year 2008, was **50 percent or less** (i.e., the voting securities, or equivalent interest were **not majority owned** by foreign parents), **or**

c. On a fully consolidated, or, in the case of real estate investments, on an aggregated basis, **no one** of the following three items – Total assets (do not net out liabilities), **or** Sales or gross operating revenues, excluding sales taxes, **or** Net income after provision for U.S. income taxes – for the U.S. affiliate (not just the foreign parent's share) exceeded $275 million (positive or negative) at the end of, or for, its fiscal year that ended in calendar year 2008.

B. Aggregation of real estate investments – Aggregate all real estate investments of a foreign person for the purpose of applying the reporting criteria. Use a single report form to report the aggregate holdings, unless BEA has granted permission to do otherwise. Those holdings not aggregated must be reported separately. Real estate is discussed more fully in instruction V.C. on page 22.

II. DEFINITIONS

A. United States, when used in a geographic sense, means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and all territories and possessions of the United States.

B. 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.

C. Person, means any individual, branch, partnership, association, associated group, estate, trust, corporation, or other organization (whether or not organized under the laws of any state), and any government (including a foreign government, the U.S. Government, a state or local government, and any agency, corporation, financial institution, or other entity or instrumentality thereof, including a government sponsored agency).

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

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

E. Foreign person means any person resident outside the United States or subject to the jurisdiction of a country other than the United States.

F. Direct investment means the ownership or control, directly or indirectly, by one person of 10 percent or more of the voting securities of an incorporated business enterprise or an equivalent interest in an unincorporated business enterprise.

G. Foreign direct investment in the United States means the ownership or control, directly or indirectly, by one foreign person 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.

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

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

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

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

1. **Majority-owned U.S. affiliate** means a U.S. affiliate in which the combined direct and indirect voting interest of all foreign parents of the U.S. affiliate exceeds 50 percent.
2. **Minority-owned U.S. affiliate** means a U.S. affiliate in which the combined direct and indirect voting interest of all foreign parents of the U.S. affiliate is 50 percent or less.

L. Foreign parent means the foreign person, or the first person outside the United States in a foreign chain of ownership, which has direct investment in a U.S. business enterprise, including a branch.

M. U.S. corporation means a business enterprise incorporated in the United States.

N. Intermediary means any agent, nominee, manager, custodian, trust, or any person acting in a similar capacity.

O. Ultimate beneficial owner (UBO) is that person, proceeding up the ownership chain beginning with and including the foreign parent, that is not more than 50 percent owned or controlled by another person. Note: Stockholders of a closely or privately held corporation are normally considered to be an associated group and may be a UBO.

P. Banking covers business enterprises engaged in deposit banking or closely related functions, including commercial banks, Edge Act corporations engaged in international or foreign banking, foreign branches and agencies of U.S. banks whether or not they accept deposits abroad, U.S. branches and agencies of foreign banks whether or not they accept domestic deposits, savings and loans, savings banks, bank holding companies, and financial holding companies under the Gramm-Leach-Bliley Act.

Q. Lease is an arrangement conveying the right to use property, plant, or equipment (i.e., land and/or depreciable assets), usually for a stated period of time.

1. **Capital lease –** A long-term lease under which a sale of the asset is recognized at the inception of the lease. These may be shown as lease contracts or accounts receivable on the lessor's books. The asset would not be considered as owned by the lessor.
2. **Operating lease –** Generally, a lease with a term which is less than the useful life of the asset and a transfer of ownership is not contemplated.

III. GENERAL INSTRUCTIONS

A. Changes in the reporting entity – DO NOT restate close fiscal year 2007 balances for changes in the consolidated reporting entity that occurred during fiscal year 2008. The close fiscal year 2007 balances should represent the reporting entity as it existed at the close of fiscal year 2007.

B. Required information not available – Make all reasonable efforts to obtain the information required for reporting. Answer every question except where specifically exempt. Indicate when only partial information is available.

C. Estimates – If actual figures are not available, please provide estimates and label them as such. When items cannot be fully subdivided as required, provide totals and an estimated breakdown of the totals.

Certain sections of the Form BE-15B require data that may not normally be maintained in a company's customary accounting records. Precise answers for these items may present the respondent with a substantial burden beyond what is intended by BEA. This may be especially true for items 29 and 30, U.S. trade in goods by U.S. affiliate on a shipped basis; items 35 through 51, employment data disaggregated by State; and items 58 through 63, distribution of sales or gross operating revenues by whether the sales were goods, investment income, or services, and the distribution of services by transactor. Therefore, the answers in these sections may be reasonable estimates based upon the informed judgment of persons in the responding organization, sampling techniques, prorations based on related data, etc. However, the estimating procedures used should be consistently applied on all BEA surveys.

D. Space on form insufficient – When space on a form is insufficient to permit a full answer to any item, provide the required information on supplementary sheets, appropriately labeled and referenced to the item number on the form.

IV. INSTRUCTIONS FOR SPECIFIC SECTIONS OF THE REPORT FORM

NOTE: Instructions in section IV. are cross referenced by number to the items located on pages 2 to 12 of this form.

PART I – IDENTIFICATION OF U.S. AFFILIATE

2. Consolidation Rules

Consolidated reporting by the U.S. affiliate – A U.S. affiliate must file on a fully consolidated **domestic U.S.** basis, including in the full consolidation all nonbank **U.S. business enterprises** in which it directly or indirectly owns more than 50 percent of the outstanding voting interest. The fully consolidated entity is considered one U.S. affiliate.

A foreign person holding real estate investments that are reportable on the BE-15 must aggregate all such holdings. See Instruction I.B. on page 15 and V.C. on page 22 for details.

Do not prepare your BE-15 report using the proportionate consolidation method. Except as noted in 2b. and 2c. below, consolidate all majority-owned U.S. affiliates into your BE-15 report.

Unless the exceptions discussed below apply, any deviation from these consolidation rules must be approved in writing each year by BEA. In accordance with FAS 94 (Consolidation of all Majority-Owned Subsidiaries), consolidation of majority-owned subsidiaries is required even if their operations are not homogeneous with those of the U.S. affiliate that owns them. If you file deconsolidated reports, you must file the same type of reports (i.e., BE-15A or BE-15B) that would have been required if a consolidated report was filed.

Report majority-owned subsidiaries, if not consolidated, on the BE-15B using the equity method of accounting. DO NOT eliminate intercompany accounts (e.g., receivables or liabilities) for affiliates not consolidated.

Exceptions to consolidated reporting – Note: If a U.S. affiliate is not consolidated into its U.S. parent's BE-15 report, then it **must** be listed on the Supplement B of its parent's BE-15 report, unless the report is a BE-15(EZ) which does not have a Supplement B, and each U.S. affiliate not consolidated **must** file its own Form BE-15.

a. DO NOT CONSOLIDATE FOREIGN SUBSIDIARIES, BRANCHES, OPERATIONS, OR INVESTMENTS NO MATTER WHAT THE PERCENTAGE OWNERSHIP.

Include foreign holdings owned 20 percent or more using either the equity method of accounting or the **fair value option** per FAS 159 (The Fair Value Option for Financial Assets and Financial Liabilities). DO NOT report employment, land, and other property, plant, and equipment and DO NOT eliminate intercompany accounts (e.g., receivables or liabilities) for holdings reported using the equity method or the **fair value option**.

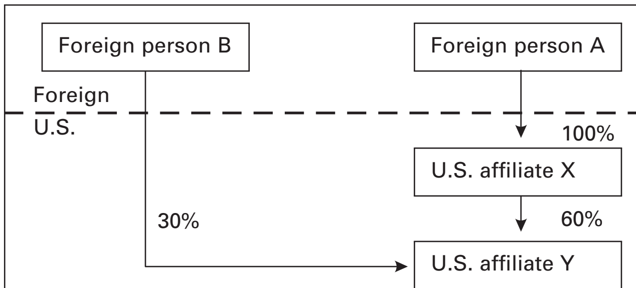
DO NOT list any foreign holdings of the U.S. affiliate on the Supplement B.

Oil and gas sites owned by U.S. affiliates and located outside of U.S. claimed territorial waters are to be treated as foreign subsidiaries of the U.S. affiliates if they meet one of the following criteria: (1) they are incorporated in a foreign country; (2) they are set up as a branch; or (3) they have a physical presence in a foreign country as evidenced by property, plant and equipment or employees located in that country.

Real estate located outside the United States that is owned by the U.S. affiliate and generates revenues for, or reimbursements to, the U.S. affiliate, or that facilitates the foreign operations of the U.S. affiliate is a foreign subsidiary and should not be consolidated on this BE-15 report.

b. Special consolidation rules apply to U.S. affiliates that are limited partnerships or that have an ownership interest in a U.S. limited partnership. These rules can be found on our web site at: www.bea.gov/ltdpartner15. Also see instruction 6.b. on page 17 for additional information about partnerships.

c. A U.S. affiliate in which a direct ownership interest and an indirect ownership interest are held by **different** foreign persons should not be fully consolidated into another U.S. affiliate, but must complete and file its own Form BE-15 report. (See diagram below.)



U.S. affiliate Y may not be fully consolidated into U.S. affiliate X because of the 30 percent direct ownership by foreign person B.

NOTE: Arrows connecting boxes represent direction of ownership.

If this exception applies, reflect the indirect ownership interest, even if more than 50 percent, on the balance sheet and income statement of the owning U.S. affiliate's BE-15 report on an equity basis. For example, using the situation shown in the diagram above, U.S. affiliate X must treat its 60 percent ownership interest in U.S. affiliate Y as an equity investment. DO NOT eliminate intercompany accounts (e.g., receivables or liabilities) for affiliates not consolidated.

4. **Reporting period –** The report covers the U.S. affiliate's 2008 fiscal year. The affiliate's 2008 fiscal year is defined as the affiliate's financial reporting year that had an ending date in calendar year 2008.

Special Circumstances:

a. **U.S. affiliates without a financial reporting year –** If a U.S. affiliate does not have a financial reporting year, its fiscal year is deemed to be the same as calendar year 2008.

b. **Change in fiscal year**

(1) **New fiscal year ends in calendar year 2008 –** A U.S. affiliate that changed the ending date of its financial reporting year should file a 2008 BE-15 report that covers the 12 month period prior to the new fiscal year end date. The following example illustrates the reporting requirements.

Example 1: U.S. affiliate A had a June 30, 2007 fiscal year end date but changed its 2008 fiscal year end date to March 31. Affiliate A should file a 2008 BE-15 report covering the 12 month period from April 1, 2007 to March 31, 2008.

(2) **No fiscal year ending in calendar year 2008 –** If a change in fiscal year results in a U.S. affiliate not having a fiscal year that ended in calendar year 2008, the affiliate **should file a 2008 BE-15 report that covers 12 months**. The following example illustrates the reporting requirements.

Example 2: U.S. affiliate B had a December 31, 2007 fiscal year end date but changed its next fiscal year end date to March 31. Instead of having a short fiscal year ending in 2008, affiliate B decides to have a 15 month fiscal year running from January 1, 2008 to March 31, 2009. Affiliate B should file a 2008 BE-15 report covering a 12 month period ending in calendar year 2008, such as the period from April 1, 2007 to March 31, 2008.

For 2009, assuming no further changes in the fiscal year end date occur, affiliate B should file a BE-15 report covering the 12 month period from April 1, 2008 to March 31, 2009.

5. **Reporting for a U.S. business that became a U.S. affiliate during fiscal year 2008 —**

a. **A U.S. business enterprise that was newly established in fiscal year 2008** should file a report for the period starting with the establishment date up to and ending on the last day of its fiscal year that ended in calendar year 2008. DO NOT estimate amounts for a full year of operations if the first fiscal year is less than 12 months.

b. **A U.S. business enterprise existing before fiscal year 2008 that became a U.S. affiliate in fiscal year 2008** should file a report covering a full 12 months of operations.

6. **Reporting by unincorporated U.S. affiliates**

a. **Directly owned vs. Indirectly owned**

(1) **Directly owned –** Each unincorporated U.S. affiliate, including a branch, that is directly owned 10 percent or more by a foreign person should file a separate BE-15 report. Do not combine two or more directly owned U.S. affiliates on a single BE-15 report. The only exception is for U.S. affiliates that are real estate investments. See Instruction I.B. on page 15 and Instruction V.C. on page 22 for details on real estate.

(2) **Indirectly owned –** Except as noted in the exceptions to the consolidation rules on page 16, an indirectly owned unincorporated U.S. affiliate that is owned more than 50 percent (voting interest) by another U.S. affiliate should be fully consolidated on the report with the U.S. affiliate that holds the voting interest greater than 50 percent. An indirectly owned unincorporated U.S. affiliate owned 50 percent (voting interest) or less by another U.S. affiliate should file a separate BE-15 report if no other U.S. affiliate owns a voting interest of more than 50 percent.

b. **Partnerships –** Most partnerships are either general partnerships or limited partnerships. A general partnership usually consists of at least two general partners who together control the partnership. A limited partnership usually consists of at least one general partner and one limited partner. The general partner usually controls a limited partnership. The limited partner has a financial interest but does not usually have any voting rights (control) in a limited partnership.

Partners without voting rights (control) cannot have direct investment in a partnership. Therefore, limited partners do not usually have direct investment. The existence of direct investment in a partnership is determined by the percentage of control exercised by the partner(s). The percentage of control exercised by a partner may differ from its financial interest in the partnership.

(1) General Partnerships

Determination of voting interest – "Voting interest" is defined in instructions 9-14 on page 18. The determination of the percentage of voting interest of a general partner is based on who controls the partnership. The percentage of voting interest is not based on the percentage of ownership in the partnership's equity. The general partners are presumed to control a general partnership. Unless a clause to the contrary is contained in the partnership agreement, a general partnership is presumed to be controlled equally by each of the general partners. For example, if a partnership has two general partners, and nothing to the contrary is stated in the partnership agreement, each general partner is presumed to have a 50 percent voting interest. If there are three general partners, each general partner is presumed to have a one-third voting interest, etc.

Managing partners – If one general partner is designated as the managing partner, responsible for the day-to-day operations of the partnership, this does not necessarily transfer control of the partnership to the managing partner. If the managing partner must obtain approval for annual operating budgets and for decisions relating to significant management issues from the other general partners, then the managing partner does not have a 100 percent voting interest in the partnership.

(2) Limited Partnerships

(a) **Determination of voting interest –** "Voting interest" is defined in instructions 9-14 on page 18. The determination of the percentage of voting interest in a limited partnership is based on who controls the partnership. The percentage of voting interest is not based on the percentage of ownership in the partnership's equity. In most cases, the general partner is presumed to control a limited partnership, and therefore, have a 100 percent voting interest in the limited partnership. If there is more than one general partner, the partnership is presumed to be controlled equally by each of the general partners, unless a clause to the contrary is contained in the partnership agreement. For example, if a limited partnership has two general partners, and nothing to the contrary is stated in the partnership agreement, then each general partner is presumed to have a 50 percent voting interest in the limited partnership.

Limited partners do not normally exercise any control over a limited partnership. Therefore unless a clause to the contrary is contained in the partnership agreement, limited partners are presumed to have zero voting interest in a limited partnership. If a limited partnership has one or more limited partners who are foreign persons, the foreign limited partners are presumed to have no voting interest, and, therefore, no direct investment in the limited partnership.

Managing partners – See discussion under "General Partnerships" above.

(b) Consolidation Rules

Special consolidation rules apply to U.S. affiliates that are limited partnerships or that have an ownership interest in a U.S. limited partnership. These rules can be found on our web site at: www.bea.gov/bea/ltdpartners15

c. Limited Liability Companies (LLCs)

Determination of voting interest – "Voting interest" is defined in instruction 9-14 below. The determination of the percentage of voting interest in an LLC is based on who controls the LLC. The percentage of voting interest is not based on the percentage of ownership in the LLC's equity. LLCs are presumed to be controlled equally by each of its members (owners), unless a clause to the contrary is contained in the articles of organization or in the operating agreement. For example, if an LLC has two members, and nothing to the contrary is contained in the articles of organization or in the operating agreement, then each member is presumed to have a 50 percent voting interest in the LLC; if there are three members, then each member is presumed to have a one-third voting interest in the LLC.

Managing member – If one member is designated as the managing member responsible for the day-to-day operations of the LLC, this does not necessarily transfer control of the LLC to the managing member. If the managing member must obtain approval for annual operating budgets and for decisions relating to other significant management issues from the other members, then the managing member does not have a 100 percent voting interest in the LLC.

8. U.S. affiliates NOT consolidated – Report investments in U.S. business enterprises that are not fully consolidated and that are owned 20 percent or more using either the equity method of accounting or the **fair value option** per FAS 159 (The Fair Value Option for Financial Assets and Financial Liabilities). DO NOT report employment, land, and other property, plant, and equipment and DO NOT eliminate intercompany accounts (e.g., receivables or liabilities) for holdings reported using the equity method or the **fair value option**.

You may report immaterial investments using the cost method of accounting if this treatment is consistent with your normal reporting practice. Report investments owned less than 20 percent in accordance with FAS 115 (Accounting for Certain Investments in Debt and Equity Securities) or the cost basis of accounting.

List all U.S. affiliates in which this U.S. affiliate has a voting interest of at least 10 percent and that are not consolidated in this Form BE-15B on the Supplement B.

9-14

Ownership

Voting interest and Equity interest

a. Voting interest is the percent of ownership in the voting equity of the U.S. affiliate. Voting equity consists of ownership interests that have a say in the management of the company. Examples of voting equity include capital stock that has voting rights, and a general partner's interest in a partnership. See instruction 6b(1) and 6b(2)(a) starting on page 17 for information about determining the voting interest for partnerships. See instruction 6c above for information about determining the voting interest for Limited Liability Companies.

b. Equity interest is the percent of ownership in the total equity (voting and nonvoting) of the U.S. affiliate. Nonvoting equity consists of ownership interests that do not have a say in the management of the company. An example of nonvoting equity is preferred stock that has no voting rights.

Voting interest and equity interest are not always equal. For example, an owner can have a 100 percent voting interest in a U.S. affiliate but own less than 100 percent of the affiliate's total equity. This situation is illustrated in the following example.

Example: U.S. affiliate A has two classes of stock, common and preferred. There are 50 shares of common stock outstanding. Each common share is entitled to one vote and has an ownership interest in 1 percent of the total owners' equity amount. There are 50 shares of preferred stock outstanding. Each preferred share has an ownership interest in 1 percent of the total owners' equity amount but has no voting rights. Foreign parent B owns all 50 shares of the common stock. U.S. investors own all 50 shares of the preferred stock. Since foreign parent B owns all of the voting stock, foreign parent B has a 100 percent voting interest in U.S. affiliate A. However, since all 50 shares of the nonvoting preferred shares are owned by U.S. investors, foreign parent B has only a 50 percent equity interest in the owners' equity amount of U.S. affiliate A.

Part II – FINANCIAL AND OPERATING DATA OF U.S. AFFILIATE

Section A – INDUSTRY CLASSIFICATION AND TOTAL SALES OF FULLY CONSOLIDATED U.S. AFFILIATE

18-23

Industry classification of fully consolidated U.S. affiliate

Book Publishers and Printers – Printing books without publishing is classified in international surveys industry (ISI) code 3231 (printing and related support activities) not ISI code 5111 (newspaper, periodical, book, and directory publishers).

Real Estate Investment Trusts (REITS) – Report hybrid or mortgage REITS in ISI code 5252 (Funds, trusts, and other financial vehicles). Report all other REITS in ISI code 5310 (Real estate).

Repos and Reverse Repos – On the sales schedule (lines 18–23), interest income and interest expense associated with repos and reverse repos should be offset against one another and reported at the net amount. On the balance sheet, reverse repos should be reported as assets and included on line 31 (total assets) while repos should be reported as liabilities and included on line 32 (total liabilities).

If you are required to complete page 8, then on line 60 (investment income included in gross operating revenues) interest income and interest expense associated with repos and reverse repos should be offset against one another and reported at the net amount. However, on lines 56 (interest income from all sources) and 57 (interest expense plus interest capitalized) interest income and interest expense associated with repos and reverse repos should be reported at the gross amounts.

Section B – OTHER FINANCIAL AND OPERATING DATA FOR FY 2008

25. Total employee compensation for FY 2008 – Base employee compensation on payroll records related to activities during the reporting period. Employee compensation consists of:

Part II – FINANCIAL AND OPERATING DATA OF U.S. AFFILIATE – Continued

Section B – OTHER FINANCIAL AND OPERATING DATA FOR FY 2008 – Continued

a. Wages and salaries are the gross earnings of all employees before deduction of employees' payroll withholding taxes, social insurance contributions, group insurance premiums, union dues, etc. Include time and piece rate payments, cost of living adjustments, overtime pay and shift differentials, bonuses, profit sharing amounts, and commissions. Exclude commissions paid to persons who are not employees.

Wages and salaries include direct payments by employers for vacations, sick leave, severance (redundancy) pay, etc. Include employer contributions to benefit funds. Exclude payments made by, or on behalf of, benefit funds rather than by the employer.

Wages and salaries include in-kind payments, valued at their cost, that are **clearly and primarily of benefit to the employees as consumers.** Exclude expenditures that benefit employers as well as employees, such as expenditures for plant facilities, employee training programs, and reimbursement for business expenses.

b. Employee benefit plans are employer expenditures for all employee benefit plans, including those required by government statute, those resulting from a collective-bargaining contract, or those that are voluntary. Employee benefit plans include Social Security and other retirement plans, life and disability insurance, guaranteed sick pay programs, workers' compensation insurance, medical insurance, family allowances, unemployment insurance, severance pay funds, etc. If plans are financed jointly by the employer and the employee, include only the contributions of the employer.

26. Expenditures for R&D performed by the U.S. affiliate – R&D includes basic and applied research in the sciences and engineering. It also includes design and development of new products and processes, and enhancement of existing products and processes.

R&D includes activities carried on by persons trained, either formally or by experience, in engineering, the physical sciences such as chemistry and physics, the biological sciences such as medicine, the mathematical and statistical sciences, and computer science. R&D includes these activities if the purpose is to do one or more of the following:

a. The planned, systematic pursuit of new knowledge or understanding toward general application (**basic research**);

b. The acquisition of knowledge or understanding to meet a specific, recognized need (**applied research**); and

c. The application of knowledge or understanding toward the production or improvement of a product, service, process, or method (**development**).

Basic research is the pursuit of new scientific knowledge or understanding that does not have specific immediate commercial objectives, although it may be in fields of present or potential commercial interest.

Applied research applies the findings of basic research or other existing knowledge toward discovering new scientific knowledge that has specific commercial objectives with respect to new products, services, processes, or methods.

Development is the systematic use of the knowledge or understanding gained from research or practical experience directed toward the production or significant improvement of useful products, services, processes, or methods, including the design and development of prototypes, materials, devices, and systems.

R&D includes the activities described above whether assigned to separate R&D organizational units of the company or carried out by company laboratories and technical groups not a part of an R&D organization.

INCLUDE all costs incurred to support R&D. INCLUDE wages, salaries, and related costs; materials and supplies consumed; depreciation on R&D property and equipment, cost of computer software used in R&D activities; utilities, such as telephone, telex, electricity, water, and gas; travel costs and professional dues; property taxes and other taxes (except income taxes) incurred on account of the R&D organization or the facilities they use; insurance expenses; maintenance and repair, including maintenance of buildings and grounds; company overhead including: personnel, accounting, procurement and inventory, and salaries of research executives not on the payroll of the R&D organization. EXCLUDE capital expenditures, expenditures for tests and evaluations once a prototype becomes a production model, patent expenses, and income taxes and interest.

EXCLUDE expenditures for quality control; routine product testing; market research; sales promotion, sales service, and other nontechnological activities; routine technical services; research in the social sciences or psychology; geological and geophysical exploration activities, and advertising programs to promote or demonstrate new products or processes.

Section C – U.S. TRADE IN GOODS BY U.S. AFFILIATE ON A SHIPPED BASIS

29-30

U.S. trade in goods is the physical movements of goods between the customs area of the United States and the customs area of a foreign country. Goods shipped by, or to, the U.S. affiliate whether or not they were actually charged or consigned by, or to, the U.S. affiliate, are considered to be trade of the U.S. affiliate.

NOTE: Goods shipped by an independent carrier or a freight forwarder to or from the United States on behalf of and at the expense of a U.S. affiliate are imports or exports of the U.S. affiliate.

BASIS FOR REPORTING U.S. TRADE IN GOODS DATA:

"Shipped" versus "Charged"

Report U.S. trade in goods on this BE-15 report using the "shipped" basis. The shipped basis looks at the physical movement of goods. Data reported on the "shipped" basis for exports are based on (i) when, (ii) to whom, and (iii) to where the goods were shipped. Data reported on the "shipped" basis for imports are based on (i) when, (ii) from whom, and (iii) from where the goods were shipped. The "shipped" basis is the same basis on which official U.S. trade statistics are kept and to which the trade data reported on the BE-15 will be compared.

DO NOT REPORT the U.S. trade in goods data using the "charged" basis. U.S. affiliates normally keep their accounting records on a "charged basis." Data reported on the "charged" basis are based on (i) when, (ii) to or from whom, and (iii) to or from where goods are charged for accounting and bookkeeping purposes. The "charged" basis may be used if there is no material difference between it and the "shipped" basis. However, if there is a material difference, the "shipped" basis must be used or adjustments must be made to the "charged" basis data to approximate a "shipped" basis. To adjust "charged" basis data to a "shipped" basis it may be necessary to look at export and import declarations filed with U.S. customs or shipping and receiving documents to determine the physical movement of goods.

IV. INSTRUCTIONS FOR SPECIFIC SECTIONS OF THE REPORT FORM – Continued

Part II – FINANCIAL AND OPERATING DATA OF U.S. AFFILIATE – Continued

Differences between the "charged" and "shipped" basis may be substantial. A major difference arises when a U.S. affiliate buys goods in foreign country A and sells them in foreign country B. Because the goods did not physically enter or leave the United States, they are not U.S. trade. However, when the U.S. affiliate records the transactions on its books, it would show a purchase charged to it from country A and a sale charged by it to country B. If the U.S. affiliate's trade data in this survey were prepared on the "charged" basis, the purchase and sale would appear incorrectly as a U.S. import and U.S. export, respectively.

Timing – Only include goods actually shipped between the United States and a foreign country during FY 2008 regardless of when the goods were charged or consigned. For example, include goods shipped by the U.S. affiliate in FY 2008 that were charged or consigned in FY 2009, but exclude goods shipped in FY 2007 that were charged or consigned in FY 2008.

Valuation of exports and imports – Value U.S. goods exports and imports f.a.s. (free alongside ship) at the port-of-exportation. INCLUDE all costs incurred up to the point of loading the goods aboard the export carrier at the U.S. or foreign port of exportation, including the selling price at the interior point of shipment (or cost if not sold), packaging costs, and inland freight and insurance. EXCLUDE all subsequent costs such as loading costs, U.S. and foreign import duties, and freight and insurance from the port of exportation to the port of entry.

In-transit goods – Exclude the value of any goods that are in-transit. In-transit goods are goods that are not processed or consumed by residents in the intermediate country(ies) through which they transit; the in-transit goods enter those countries only because those countries are along the shipping lines between the exporting and importing countries.

In-transit goods are goods that are en route from one foreign country to another via the United States (such as from Canada to Mexico via the United States), and goods en route from one part of the United States to another part via a foreign country (such as from Alaska to Washington State via Canada).

Capital goods – Include capital goods (e.g., manufacturing equipment used to produce goods for sale) but exclude the value of ships, planes, railroad rolling stock, and trucks that were temporarily outside the United States transporting people or merchandise.

Consigned goods – Include consigned goods in the trade figures when shipped or received, even though they are not normally recorded as sales or purchases, or entered into intercompany accounts when initially consigned.

Electricity and water – Report the value of electricity and water exports and imports if the product value can be separated out from the service value. Report ONLY the product value (electricity and water). DO NOT report the service value (transmission and distribution).

Natural gas distribution – INCLUDE the value of natural gas that is exported or imported as trade in goods. However, EXCLUDE natural gas that you do not produce or sell, but simply transmit for others via a pipeline.

Packaged general use computer software – INCLUDE exports and imports of packaged general use computer software. Value such exports and imports at the full transactions value, i.e., including both the value of the media on which the software is recorded **and** the value of the information contained on the media. EXCLUDE receipts or payments for customized software designed to meet the needs of a specific user. This type of software is considered a service and should **not** be reported as trade in goods. EXCLUDE receipts and payments for software that is transmitted electronically rather than physically shipped. Also, EXCLUDE negotiated licensing fees for software to use on networks.

Section E – SCHEDULE OF EMPLOYMENT BY LOCATION

34–51

Number of employees at the end of FY 2008 – Employees is the number of full-time and part-time employees on the payroll at the end of FY 2008. If employment at the end of FY 2008, or the count taken at some other time during FY 2008, was unusually high or low because of temporary factors (e.g., a strike), give the number of employees that reflects normal operations. If the business enterprise's activity involves large seasonal variations, give the average number of employees for FY 2008. If given, the average should be the average for FY 2008 of the number of persons on the payroll at the end of each payroll period, month, or quarter. If precise figures are not available, give your best estimate.

Location of employees or of an asset is the U.S. state, territory, or possession in which the person is permanently employed, or in which the land or other property, plant, and equipment is physically located and to which property taxes, if any, on such assets are paid. For example, an employee carried on the payroll of a company located in California who is on a duty assignment for one year or less in Texas should be shown as being located in California, not Texas. (If the duty assignment is for more than one year, show the employee as being located in Texas, not California.)

Foreign – Except as noted below, exclude employees, land, and other property, plant, and equipment, located outside of the United States from the Schedule of Employment and Property, Plant, and Equipment, By Location.

a. Employees normally located in the United States who are on a temporary duty assignment outside of the country for one year or less should be reported in the U.S. state, territory, or possession where they are normally located.

b. Employees normally located in the United States who are on a duty assignment outside of the country for more than one year and carried on the payroll of the domestic U.S. affiliate should be reported under the category "foreign." Exclude these employees from the BE-15 report if they are carried on a foreign payroll.

Section F – OTHER FINANCIAL AND OPERATING DATA (MAJORITY-OWNED U.S. AFFILIATES)

54. Certain gains (losses) – Note: Please read the following instructions carefully as they are keyed to economic accounting concepts and in some cases may deviate from what is normally required by U.S. Generally Accepted Accounting Principles.

Report at **gross** amount **before** income tax effect. Report gains (losses) resulting from:

a. Extraordinary, unusual, or infrequently occurring items that are material. Include losses from accidental damage or disasters, after estimated insurance reimbursement. Include other material items, including writeups, writedowns, writeoffs of tangible and intangible assets; gains (losses) from the sale or other disposition of capital assets; and gains (losses) from the sale or other disposition of financial assets, including securities, to the extent not included above. Exclude legal judgments;

b. Restructuring. Include restructuring costs that reflect write downs or writeoffs of assets or liabilities. EXCLUDE actual payments, or charges to establish reserves for future actual payments, such as for severance pay, and fees to accountants, lawyers, consultants, or other contractors;

c. Sale or disposition of land, other property, plant and equipment, or other assets, and FAS 144 (Accounting for the Impairment or Disposal of Long-Lived Assets) **impairment losses**. DO NOT include gains or losses from the sale of inventory assets in the ordinary course of trade or business. **Real estate companies, see special instructions below;**

Part II – FINANCIAL AND OPERATING DATA OF U.S. AFFILIATE – Continued

Section F – OTHER FINANCIAL AND OPERATING DATA (MAJORITY-OWNED U.S. AFFILIATES) – Continued

d. Sales or other dispositions of financial assets, including investment securities; FAS 159 (The Fair Value Option for Financial Assets and Financial Liabilities) **fair value option** gains and losses EXCEPT those related to unconsolidated affiliates; FAS 115 (Accounting for Certain Investments in Debt and Equity Securities) holding gains (losses) on securities classified as **trading securities**; FAS 115 impairment losses; and gains and losses derived from **derivative instruments**. Dealers in financial instruments (including securities, currencies, derivatives, and other financial instruments) and finance and insurance companies, see **special instructions** below;

e. **Goodwill impairment** as defined by FAS 142 (Goodwill and Other Intangible Assets);

f. **DISPOSALS of discontinued operations.** EXCLUDE income from the operations of a discontinued segment. Report such income as part of your income from operations in items 18 through 23 on page 6;

g. **Remeasurement** of the U.S. affiliate's **foreign-currency-denominated** assets and liabilities due to changes in foreign exchange rates during the reporting period;

h. The cumulative effect of a **change in accounting principle**; and

i. Change in accounting estimate of provision for expected **stock option forfeitures** under the inception method as defined by FAS 123 (Share-Based Payment).

Special instructions for (1) dealers in financial instruments, finance and insurance companies, and (2) real estate companies.

(1) Dealers in financial instruments (including securities, currencies, derivatives, and other financial instruments) and finance and insurance companies – Include in item 54:

(a) Impairment losses as defined by FAS 115,

(b) Realized gains (losses) on trading or dealing,

(c) Unrealized gains (losses) due to changes in the valuation of financial instruments, that flow through the income statement, and

(d) Goodwill impairment as defined by FAS 142.

EXCLUDE unrealized gains (losses), due to changes in the valuation of financial instruments, that are taken to other comprehensive income. Reflect such gains (losses) only in the ending owners' equity balance (line 33).

EXCLUDE income from explicit fees and commissions from item 54. Include income from these fees and commissions as part of your income from operations on lines 18 through 23 on page 6.

(2) Real estate companies – Include in item 54:

(a) Impairment losses as defined by FAS 144, and

(b) Goodwill impairment as defined by FAS 142.

EXCLUDE the revenues earned and expenses incurred from the sale of real estate you own. Such revenues should be reported as operating income in items 23 (column 2), 58, and as sales of goods in item 59.

58–63 DISTRIBUTION OF SALES OR GROSS OPERATING REVENUES

Disaggregate the total sales or gross operating revenues into sales of goods, investment income, and sales of services.

59. Sales of goods – Goods are normally outputs that are tangible. Report as sales of goods:

- Mass produced media, including exposed film, video tapes, DVD's, audio tapes, and CD's.
- Books. NOTE: Book publishers – To the extent feasible, report as sales of services all revenues associated with the design, editing, and marketing activities necessary for producing and distributing books that you both publish and sell. If you cannot unbundle (i.e., separate) these revenues from the value of the books you sell, then report your total sales as sales of goods or services based on the activity that accounts for a majority of the value.
- Energy trading activities where you take title to the goods. NOTE: If you act in the capacity of a broker or agent to facilitate the sale of goods and you do not take title to the goods, report your revenue (i.e., commissions) as sales of services in item 61.
- Magazines and periodicals sold in retail stores. NOTE: Report subscription sales as sales of services in item 61.
- Packaged general use computer software.
- Structures sold by businesses in real estate.
- Revenues earned from building structures by businesses in construction.
- Electricity, Natural gas, and Water. NOTE: Revenues derived from transmitting and/or distributing these goods, as opposed to revenues derived from the sale of the actual product, should, to the extent feasible, be reported as sales of services in item 61.

60. Investment income – Report dividends and interest generated by finance and insurance activities as investment income. NOTE: Report commissions and fees as sales of services in item 61.

61. Sales of services – Services are normally outputs that are intangible. Report as sales of services:

- Advertising revenue.
- Commissions and fees earned by companies engaged in finance and real estate activities.
- Premiums earned by companies engaged in insurance activities. NOTE: Calculate as direct premiums written (including renewals) net of cancellations, plus reinsurance premiums assumed, minus reinsurance premiums ceded, plus unearned premiums at the beginning of the year, minus unearned premiums at the end of the year.
- Commissions earned by agents or brokers (i.e., wholesalers) who act on behalf of buyers and sellers in the wholesale distribution of goods. NOTE: Agents or brokers do not take title to the goods being sold.
- Magazines and periodicals sold through subscriptions. NOTE: Report magazines and periodicals sold through retail stores, as sales of goods in item 59.
- Newspapers.
- Pipeline transportation.
- Software downloaded from the Internet, electronic mail, an Extranet, Electronic Data Interchange network, or some other online system.
- Computer systems design and related services.
- Negotiated licensing fees for software to be used on networks.
- Electricity transmission and distribution, Natural gas distribution, and Water distribution.

V. SPECIAL INSTRUCTIONS

A. Insurance companies – Reporting should be in accordance with U.S. Generally Accepted Accounting Principles not Statutory Accounting Practices (SAP). For example, the BE-15 report should include the following assets even though they are not acceptable under SAP: **1.** non-trusteed or free account assets, and **2.** nonadmitted assets such as furniture and equipment, agents' debit balances, and all receivables deemed to be collectible.

Item on Form:

23 **TOTAL SALES –** Include items such as earned premiums, annuity considerations, dividends, interest, and items of a similar nature. Exclude income from unconsolidated affiliates. Also exclude income that would be reported in item 54, certain realized and unrealized gains (losses).

31 **TOTAL ASSETS –** Include current items such as agents' balances, uncollected premiums, amounts recoverable from reinsurers, and other current notes and accounts receivable (net of allowances for doubtful items) arising from the ordinary course of business.

32 **TOTAL LIABILITIES –** Include current items such as loss liabilities, policy claims, commissions due, other current liabilities arising from the ordinary course of business, and long-term debt.

33 **TOTAL OWNERS' EQUITY –** Include mandatory securities valuation reserves that are appropriations of retained earnings.

54 **CERTAIN GAINS (LOSSES) –** See special instructions for item 54. on page 21 of this form.

B. Railroad transportation companies – Railroad transportation companies should include only the net annual balances for interline settlement items (car hire, car repair, freight revenues, switching revenues, and loss and damage settlements) in items 31 and 32.

C. Real Estate – The ownership of real estate is defined to be a business enterprise, and if the real estate is foreign owned, it is a U.S. affiliate of a foreign person.

Residential real estate held exclusively for personal use and not for profit making purposes is not subject to the reporting requirements. A residence that 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 therefore not subject to the reporting requirements. 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 therefore not subject to the reporting requirements.

Aggregation of real estate investments – A foreign person holding real estate investments that are reportable on the BE-15 must aggregate all such holdings for the purpose of applying the reporting criteria (see instruction I.B. on page 15 of this form). File a single BE-15B report covering the aggregated holdings. If on an aggregated basis **any one** of the following three items – total assets (do not net out liabilities), **or** sales or gross operating revenues, excluding sales taxes, **or** net income after provision for U.S. income taxes – exceeds $275 million (positive or negative) and the foreign voting ownership in the real estate exceeds 50 percent, file Form BE-15A. If permission has been received in writing from BEA to file on an non-aggregated basis, you must report each real estate investment on a Form BE-15A if a Form BE-15A would have been required on an aggregated basis. Non-aggregated reports should be filed as a group and you should inform BEA that they are all for one owner.

On page 1, for the name and address of the U.S. business enterprise, BEA is not seeking a legal description of the property, nor necessarily the address of the property itself. Because there may be no operating business enterprise for a real estate investment, what BEA seeks is a consistently identifiable name for the investment (i.e., the U.S. affiliate) together with an address to which report forms can be mailed so that the investment (affiliate) can be reported on a consistent basis for each reporting period and for the various BEA surveys.

Thus, on page 1 of the BE-15 survey forms the "name and address" of the U.S. affiliate might be:

XYZ Corp. N.V., Real Estate Investments
c/o B&K Inc., Accountants
120 Major Street
Miami, FL XXXXX

If the investment property has a name, such as Sunrise Apartments, the name and address on page 1 of the BE-15 survey forms might be:

Sunrise Apartments
c/o ABC Real Estate
120 Major Street
Miami, FL XXXXX

There are questions throughout the Form BE-15B that may not apply to certain types of real estate investments, such as the employer identification number, the number of employees, and exports and imports. In such cases, mark the items "none."

Joint ventures and partnerships – If a foreign person has a direct or indirect voting ownership interest of 10 percent or more in a joint venture, partnership, etc., that is formed to own and hold, develop, or operate real estate, the joint venture, partnership, etc., in its entirety, not just the foreign person's share, is a U.S. affiliate and must be reported as follows:

1. If the foreign interest in the U.S. affiliate is directly held by the foreign person then a BE-15 report must be filed by the affiliate (subject to the aggregation rules discussed above).

2. If a voting interest of more than 50 percent in the U.S. affiliate is owned by another U.S. affiliate, the owned affiliate must be fully consolidated in the BE-15 report of the owning affiliate.

3. If a voting interest of 50 percent or less in the U.S. affiliate is owned by another U.S. affiliate, and no U.S. affiliate owns a voting interest of more than 50 percent, then a separate BE-15 report must be filed by the owned affiliate. The BE-15 report(s) of the owning affiliate(s) must show an equity investment in the owned affiliate.

D. Farms – For farms that are not operated by their foreign owners, the income statements and related items should be prepared based on the extent to which the income from the farm accrues to, and the expenses of the farm are borne by, the owner. Generally this means that income, expenses, and gain (loss) assignable to the owner should reflect the extent to which the risk of the operation falls on the owner. For example, even though the operator and other workers on the farm are hired by a management firm, if their wages and salaries are assigned to, and borne by, the farm operation being reported, then the operator and other workers should be reported as employees of that farm operation and the wages and salaries should be included as an expense in the income statement.

EXAMPLES:

1. If the farm is leased to an operator for a fixed fee, the owner should report the fixed fee in "total sales" and should report the non-operating expenses that he or she may be responsible for, such as real estate taxes, interest on loans, etc., as expenses in the income statement.

2. If the farm is operated by a management firm that oversees the operation of the farm and hires an operator, but the operating income and expenses are assigned to the owner, the income and expenses so assigned should be shown in the requested detail in the income statement, and related items, as appropriate. (The report should not show just one item, i.e., the net of income less the management fee, where the management fee includes all expenses.)

E. Estates, trusts, and intermediaries

A FOREIGN ESTATE is a person and therefore may have direct investment, and the estate, not the beneficiary, is considered to be the owner.

A TRUST is a person but it is not a business enterprise. The trust is considered to be the same as an intermediary, and should report as outlined in the instructions for intermediaries below.

For reporting purposes, the beneficiary(ies) of the trust, is (are) considered to be the owner(s) for purposes of determining the existence of direct investment, except in two cases: **(1)** if there is, or may be, a reversionary interest, and **(2)** if a corporation or other organization creates a trust designating its shareholders or members as beneficiaries. In these two cases, the creator(s) of the trust is (are) deemed to be the owner(s) of the investments of the trust (or succeeding trusts where the presently existing trust had evolved out of a prior trust), for the purposes of determining the existence and reporting of direct investment.

This procedure is adopted in order to fulfill the statistical purposes of this survey and does not imply that control over an enterprise owned or controlled by a trust is, or can be, exercised by the beneficiary(ies) or creator(s).

FOR AN INTERMEDIARY:

1. If a U.S. intermediary holds, exercises, administers, or manages a particular foreign direct investment in the United States for the beneficial owner, such intermediary is responsible for reporting the required information for, and in the name of, the U.S. affiliate. Alternatively, the U.S. intermediary can instruct the U.S. affiliate to submit the required information. Upon so doing, the intermediary is released from further liability to report, provided it has informed BEA of the date such instructions were given and provides BEA the name and address of the U.S. affiliate, and has supplied the U.S. affiliate with any information in the possession of, or which can be secured by, the intermediary that is necessary to permit the U.S. affiliate to complete the required reports. When acting in the capacity of an intermediary, the accounts or transactions of the U.S. intermediary with a foreign beneficial owner are considered as accounts or transactions of the U.S. affiliate with the foreign beneficial owner. To the extent such transactions or accounts are unavailable to the U.S. affiliate, BEA may require the intermediary to report them.
2. If a foreign beneficial owner holds a U.S. affiliate through a foreign intermediary, the U.S. affiliate may report the intermediary as its foreign parent but, when requested, must also identify and furnish information concerning the foreign beneficial owner. Accounts or transactions of the U.S. affiliate with the foreign intermediary are considered as accounts or transactions of the U.S. affiliate with the foreign beneficial owner.

F. Determining place of residence and country of jurisdiction of individuals – An individual is considered a resident of, and subject to the jurisdiction of, the country in which he or she is physically located. The following guidelines apply to individuals who do not reside in their country of citizenship:

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 paragraphs 3 and 4 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 such owner or employee is considered a resident of the country of citizenship, provided there is the intent to return to the country of citizenship within a reasonable period of time.
4. Individuals and members of their immediate family who are residing 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.

VI. FILING THE BE-15

A. Due date – File a fully completed and certified Form BE-15A, BE-15B, or BE-15(EZ) no later than May 31, 2009. If the U.S. affiliate is exempt from filing Form BE-15A, BE-15B, and BE-15(EZ), complete and file the BE-15 Claim for Exemption by May 31, 2009.

B. Mailing report forms to a foreign address – BEA will accommodate foreign owners that wish to have forms sent directly to them. However, the extra time consumed in mailing to and from a foreign place may make meeting filing deadlines difficult. In such cases, please consider using BEA's electronic filing option. Go to our web site at **www.bea.gov/efile** for details about this option. To obtain forms online go to: **www.bea.gov/fdi**

C. Extensions – For the efficient processing of the survey and timely dissemination of the results, it is important that your report be filed by the due date. Nevertheless, reasonable requests for extension of the filing deadline will be granted. Requests for extensions of more than 30 days **MUST be in writing** and should explain the basis for the request. You may request an extension via email at **be12/15@bea.gov.** For extension requests of 30 days or less, you may call BEA at (202) 606-5577. All requests for extensions must be received **NO LATER THAN** the original due date of the report.

D. Assistance – For assistance, telephone (202) 606-5577 or send email to **be12/15@bea.gov**. Forms can be obtained from BEA's web site at: **www.bea.gov/fdi**

E. Annual stockholders' report or other financial statements – Please furnish a copy of your FY 2008 annual stockholders' report or Form 10K when filing the BE-15 report. If you do not publish an annual stockholders' report or file Form 10K, please provide any financial statements that may be prepared, including the accompanying notes. Information contained in these statements is useful in reviewing your report and may reduce the need for further contact. Section 5(c) of the International Investment and Trade in Services Survey Act, Public Law 94-472, 90 Stat. 2059, 22 U.S.C. 3101-3108, as amended, provides that this information can be used for analytical and statistical purposes only and that it must be held strictly confidential.

F. Number of copies – File a single original copy of the form and supplement(s). If you are not filing electronically, this should be the copy with the address label on page 1, if such a labeled copy has been provided by BEA. (Make corrections to the address on the label, if necessary.) You should also retain a file copy of each report for three years to facilitate resolution of any questions that BEA may have concerning your report. (Both copies are protected by law; see the statement on confidentiality on page 13.)