

**MANDATORY — CONFIDENTIAL***

SURVEY OF NEW FOREIGN DIRECT INVESTMENT IN THE UNITED STATES

FORM BE-13D

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

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

005 3

Electronic filing: Go to www.bea.gov/efile for details

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

Deliver reports to: U.S. Department of Commerce
Bureau of Economic Analysis
Direct Investment Division, BE-49(NI)
4600 Silver Hill Rd
Suitland, MD 20746

Fax reports to: (301) 278-9504

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

Name and mailing address of U.S. Business Enterprise

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

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

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

INCLUDE:

- Construction or lease of a new facility by an existing U.S. affiliate.
- Construction of a facility that is intended for lease or sale by an existing U.S. affiliate.
- Expansion of an existing facility.

EXCLUDE:

- Transfer of existing operations from one location to another.
- Replacement of equipment or upgrade of an existing facility.

Alternate forms:

Report on Form BE-13A if a foreign entity acquires a voting interest (directly, or indirectly through an existing U.S. affiliate) in an existing U.S. business enterprise, segment, or operating unit and (1) the total cost of the acquisition is greater than \$3 million, and (2) by this acquisition, at least 10 percent of the voting interest in the acquired entity is now held (directly or indirectly) by the foreign entity.

Report on Form BE-13B if a foreign entity, or an existing U.S. affiliate of a foreign entity, establishes a new legal entity in the United States and (1) the projected total cost to establish the new legal entity is greater than \$3 million, and (2) the foreign entity owns 10 percent or more of the new business enterprise's voting interest (directly or indirectly).

Report on Form BE-13E if the U.S. business enterprise previously filed a BE-13B or BE-13D indicating that the established or expanded entity is still under construction. This form will collect updated cost information and will be collected annually until construction is complete.

Report on Form BE-13 Claim for Exemption if the U.S. business enterprise

- (1) was contacted by BEA but does not meet the requirements for filing forms BE-13A, BE-13B, or BE-13D; or
- (2) whether or not contacted by BEA, met all requirements for filing forms BE-13A, BE-13B, or BE-13D except the \$3 million reporting threshold.

*See page 8 for penalties and confidentiality statements.

BE-13D – Instructions and Contact Information

INSTRUCTIONS

\$ Bil. Mil. Thous. Dols.

Monetary Values: Report in U.S. dollars rounded to thousands (omitting 000).

EXAMPLE – If amount is \$1,334,891.00, report as.....

1	1 335,000	
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Estimates: If actual amounts are not available, supply estimates and specify in the notes section.

Definitions: Underlined terms are defined on page 9.

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

Notes

CONTACT INFORMATION

Provide information of person to consult about this report:

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

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

CERTIFICATION

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

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

BE-13D – Expansion Information

Month Day Year

1 What date did the expansion project begin? 101

1
____ / ____ / ____

2 What is the legal name of the expanding U.S. affiliate?

105 1 _____

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

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

3 Is the address of the new facility different from the address on the cover page?

500 1 Yes – Provide address:
2 No

		Name			
	2				
501	Street 1	1	Street 2	2	
502	City	1	State	2	Zip
					3

4 What is the total expected cost to all foreign parents' affiliated foreign groups (AFG, see EXAMPLE 1) and their U.S. affiliates to set up the new facility? 102

\$ Bil. Mil. Thous. Dols.
1 _____,000

INCLUDE:

- All expenses to set up the new facility including, but not limited to: land, lease, property, plant and equipment expenditures, construction, intellectual property rights, fees, taxes, permits, licenses, and miscellaneous other costs.
- Actual expenditures from past years and expected expenditures for current and future years.

EXCLUDE:

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

Affiliated foreign group means:

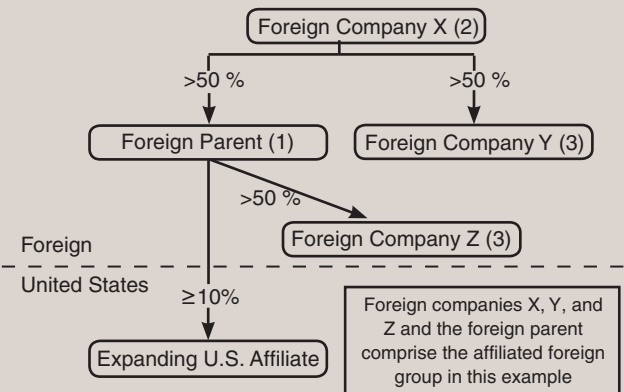
- (1) the foreign parent,
- (2) any foreign entity, proceeding up the foreign parent's ownership chain, that owns more than 50 percent of the entity below it up to and including that entity which is not owned more than 50 percent by another foreign entity, and any foreign entity, proceeding down the ownership chain(s) of each of these
- (3) members, which is owned more than 50 percent by the entity above it.

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

Foreign parent is the FIRST entity outside the United States, proceeding up a chain of ownership, that has a 10 percent or more voting interest in the U.S. affiliate.

Voting interest is the percent of ownership in the voting securities of an incorporated business enterprise or an equivalent interest in an unincorporated business enterprise.

EXAMPLE 1. Affiliated Foreign Group



5 How many foreign parents (direct, and indirect through U.S. affiliates) does the expanding U.S. affiliate have? 180

Number of Foreign Parents
1 _____

NOTE: If there is more than one foreign parent (direct and/or indirect) complete **6** through **12** for each additional foreign parent on a separate page. Additional copies of this page may be downloaded from www.bea.gov/be13.

BE-13D – Identifying Foreign Parent Number [] of [] and Its Ultimate Beneficial Owner

NOTE: If there is more than one foreign parent (direct and/or indirect) complete **6** through **12** for each additional foreign parent on a separate page. Additional copies of this page may be downloaded from www.bea.gov/be13.

IDENTIFYING THE FOREIGN PARENT

6 What is the name of this foreign parent holding a direct or indirect voting interest in the expanding U.S. affiliate?

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

201 1

7 What is the country of incorporation of this foreign parent?

If the foreign parent is an individual or government, provide the country of residence.

Country of Foreign Parent

-Country-

202

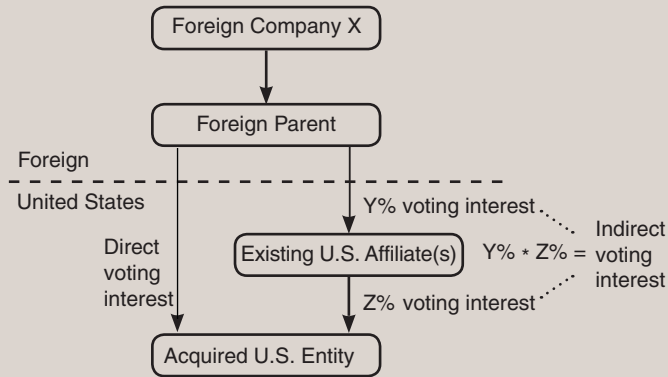
BEA USE ONLY
1

8 What is the industry code of this foreign parent? Select the category below which best describes the PRIMARY activity of the SINGLE entity named as the foreign parent. DO NOT base the code on the worldwide sales of all consolidated subsidiaries of the foreign parent.

203 1

-Industry Code-

EXAMPLE 2. Direct and Indirect Voting Interest



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

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

Foreign parent is the FIRST entity outside the United States, proceeding up a chain of ownership, that has a 10 percent or more voting interest in the U.S. affiliate.

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

IDENTIFYING THE ULTIMATE BENEFICIAL OWNER (UBO)

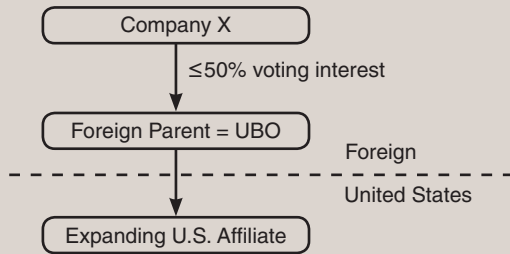
9 Is this foreign parent also the ultimate beneficial owner (UBO)? (See EXAMPLES 3 and 4)

- If the foreign parent is owned or controlled more than 50 percent by another entity, then the foreign parent is NOT the UBO.

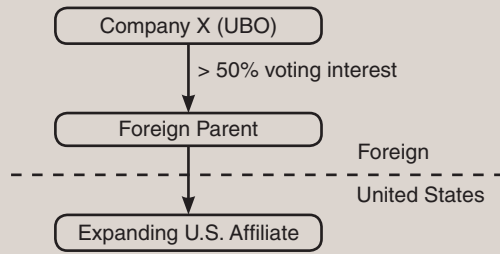
Ultimate beneficial owner means the entity, proceeding up the ownership chain that includes the foreign parent, which is not more than 50 percent owned or controlled by another entity.

210 1 Yes — SKIP to **12**
 1 2 No

EXAMPLE 3. Foreign Parent is UBO



EXAMPLE 4. Foreign Parent is Not UBO



10 What is the name of the ultimate beneficial owner?

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

211 1

11 What is the country of incorporation of the ultimate beneficial owner?

If the UBO is an individual or government, provide the country of residence.

Country of UBO

-Country- 212

BEA USE ONLY
 1

12 What is the industry code of the ultimate beneficial owner?

Select the category below best reflect the consolidated worldwide sales of the UBO, including all majority-owned subsidiaries.

213 1 -Industry Code-

NOTE: If there is more than one foreign parent (direct and/or indirect) complete **7** through **12** for each additional foreign parent on a separate page. Additional copies of this page may be downloaded from www.bea.gov/be13.

BE-13D – Financial and Operating Information

FINANCIAL AND OPERATING INFORMATION

\$ Bil. Mil. Thous. Dols.

13 What are the projected annual sales, or gross operating revenues, of the new facility? 403 ,000

- Only include revenue attributed to the expansion, not the entire U.S. affiliate.

Projected Number
of Employees

14 What is the projected number of employees associated with the new facility when it is fully operating? 405

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

Current Number
of Employees

15 How many employees did the new facility have at the time of this filing? 506

- Include all full-time and part-time employees on the payroll.
- Exclude contract workers and other workers not carried on the payroll.
- Exclude employees working at a previously existing facility.

16 What will be the major activities of the new facility when it is fully operating? Check all that apply.

- 420
- 1 Producer of goods
 - 2 Seller of goods it does not produce
 - 3 Producer or distributor of information
 - 4 Provider of services
 - 5 Real estate
 - 6 Other—Specify:

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

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

421

18 In which state will the new facility be located?

422 — Select State —

19 What will be the new facility's four-digit industry classification

Select the category below which best describes the industry classification, based on sales or gross operating revenues.

(See list on page 9 or go to www.bea.gov/NAICS2012)

423 — Select Industry Classification —

20 Will the new facility conduct research and development activities?

- 424
- 1 Yes
 - 1 2 No

BE-13D – Project Information

PROJECT INFORMATION

21 Is the new facility currently under construction?

- 508
- 1 Yes
 - 1 No, construction has yet to begin
 - 1 No, construction is complete – Provide completion date: _____
 - 1 No, the project has been canceled
 - 1 No, construction is not required for this facility

Month	Day	Year
2		
_	_	_

For **22** and **23**, break down the total expected cost to set up the new facility by type and by fiscal year.

	\$	Bil.	Mil.	Thous.	Dols.
Total expected cost reported in 4					,000

22 How much of the total expected cost to set up the new facility is for:

	\$	Bil.	Mil.	Thous.	Dols.
A. Land? 510					,000
B. Property, plant, and equipment? Include construction. Exclude land. 512					,000
C. Intellectual property rights? 514					,000
D. Fees, taxes, permits, licenses? 515					,000
E. Other costs? Describe in notes section on page 2. 516					,000

Sum of expenditures listed in 22 A through 22 E : 517					0,000
This should match the total reported in 4					
The difference is currently:					0,000

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

- Do not include operating leases.
- Provide actual cash or in-kind outlays, not depreciation.

	Fiscal Year	\$	Bil.	Mil.	Thous.	Dols.
550	1 - Year -	2				,000
551	1 - Year -	2				,000
552	1 - Year -	2				,000
553	1 - Year -	2				,000
554	1 - Year -	2				,000
555	1 - Year -	2				,000
556	1 - Year -	2				,000
557	1 - Year -	2				,000
558	1 - Year -	2				,000
559	1 - Year -	2				,000

NOTE: BEA will request updated responses to **22** through **23** each year until the project is complete.

RETURN TO COVER PAGE FOR FILING INSTRUCTIONS

SURVEY INFORMATION

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

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

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

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

Respondent burden: Public reporting burden for this BE-13D form is estimated to average 1.2 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing burden, to: Director, Bureau of Economic Analysis (BE-1), U.S. Department of Commerce, Washington, DC 20230; and to the Office of Management and Budget, Paperwork Reduction Project 0608-0035, Washington, DC 20503.

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

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, 2012*, available at www.bea.gov/naics2012. See the Summary of Industry Classifications on page 10 of this form.

- | | |
|--|---|
| 01 Government and government-owned or -sponsored enterprise, or quasi-government organization or agency | 17 Information (ISI codes 5111–5191) |
| 02 Pension fund — Government run | 18 Professional, scientific, and technical services (ISI codes 5411–5419) |
| 03 Pension fund — Privately run | 19 Other services (ISI codes 1150, 2132, 2133, 5321, 5329, and 5611–8130) |
| 04 Estate, trust, or nonprofit organization | Manufacturing, including fabricating, assembling, and processing of goods: |
| 05 Individual | 20 Food (ISI codes 3111–3119) |
| Private business enterprise, investment organization, or group engaged in: | 21 Beverages and tobacco products (ISI codes 3121 and 3122) |
| 06 Insurance (ISI codes 5242, 5243, 5249) | 22 Pharmaceuticals and medicine (ISI code 3254) |
| 07 Agriculture, forestry, fishing and hunting (ISI codes 1110–1140) | 23 Other chemicals (ISI codes 3251–3259, except 3254) |
| 08 Mining (ISI codes 2111–2127) | 24 Nonmetallic mineral products (ISI codes 3271–3279) |
| 09 Construction (ISI codes 2360–2380) | 25 Primary and fabricated metal products (ISI codes 3311–3329) |
| 10 Transportation and warehousing (ISI codes 4810–4939) | 26 Computer and electronic products (ISI codes 3341–3346) |
| 11 Utilities (ISI codes 2211–2213) | 27 Machinery (ISI codes 3331–3339) |
| 12 Wholesale and retail trade (ISI codes 4231–4540) | 28 Electrical equipment, appliances and components (ISI codes 3351–3359) |
| 13 Banking, including bank holding companies (ISI codes 5221 and 5229) | 29 Motor vehicles and parts (ISI codes 3361–3363) |
| 14 Holding companies, excluding bank holding companies (ISI codes 5512 and 5513) | 30 Other transportation equipment (ISI codes 3364–3369) |
| 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) | 31 Other manufacturing (ISI codes 3130–3231, 3261, 3262, 3370–3399) |
| 16 Real estate (ISI code 5310) | 32 Petroleum manufacturing, including integrated petroleum and petroleum refining without extraction (ISI codes 3242–3244) |

DEFINITIONS

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

Affiliated foreign group means:

- (1) the foreign parent,
- (2) any foreign entity, proceeding up the foreign parent's ownership chain, that owns more than 50 percent of the entity below it up to and including that entity which is not owned more than 50 percent by another foreign entity; and
- (3) any foreign entity, proceeding down the ownership chain(s) of each of these members, which is owned more than 50 percent by the entity above it.

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

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

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

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

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

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

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

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

Foreign when used in a geographic sense, means that which is situated outside the United States or which belongs to or is characteristic of a country other than the United States.

Foreign direct investment in the United States means the ownership or control, directly or indirectly, by one foreign investor of 10 percent or more of the voting securities of an incorporated U.S. business enterprise or an equivalent interest in an unincorporated U.S. business enterprise, including a branch or partnership.

Foreign parent is the FIRST entity incorporated outside the United States, proceeding up a chain of ownership, that has 10 percent or more voting interest (direct or indirect) in this U.S. affiliate.

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

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

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

Voting interest is the percent of ownership in the voting securities of an incorporated business enterprise or an equivalent interest in an unincorporated business enterprise.

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

SUMMARY OF INDUSTRY CLASSIFICATIONS (ISI codes)