



MANDATORY — CONFIDENTIAL\* 005 3

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

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

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

**Mail reports to:** U.S. Department of Commerce  
Bureau of Economic Analysis, BE-49(NI)  
Washington, DC 20230

**Deliver reports to:** U.S. Department of Commerce  
Bureau of Economic Analysis, BE-49(NI)  
Shipping and Receiving Section, M-100  
1441 L Street, NW  
Washington, DC 20005

**Fax reports to:** (202) 606-5631

**Assistance:** E-mail: [be13@bea.gov](mailto:be13@bea.gov)  
Telephone: (202) 606-5613  
Copies of form: [www.bea.gov/fdi](http://www.bea.gov/fdi)

### 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	State	Zip
	1	2	3
	Country		
	4		

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

**Who must report:** A BE-13B report must be filed by a U.S. business enterprise when a foreign entity, or an existing U.S. affiliate of a foreign entity, establishes a new legal entity in the United States and (1) the projected total cost to establish 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).

**INCLUDE:**

- Creation of a new legal entity whether incorporated or unincorporated, including a branch.
- Construction of real estate intended for lease or sale. If the construction is for purposes of an expansion see the instructions for reporting as an expansion on Form BE-13D.
- Creation of a new legal entity even if it does not have physical operations.

**EXCLUDE:**

- Purchase of U.S. real estate that is intended for lease or sale without significant added construction. This is deemed to be an acquisition of a U.S. business enterprise and should be reported on Form BE-13A.
- The creation of a holding company that is being set up with less than \$60 million, solely to acquire at least one target company within 180 days, and then will be dissolved.

**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, (2) the U.S. business enterprise will operate as a separate legal entity, and (3) 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-13C if an existing U.S. affiliate of a foreign parent acquires a U.S. business enterprise or segment that it then merges into its operations and the total cost to acquire the business enterprise is greater than \$3 million.

Report on Form BE-13D if an existing U.S. affiliate of a foreign parent expands its operations to include a new facility where business is conducted and the projected total cost of the expansion is greater than \$3 million.

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

## BE-13B – Instructions and Contact Information

### INSTRUCTIONS

\$ Bil. Mil. Thous. Dols.

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

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

1	1	335	000
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**Percentages:** Report ownership percentages to a tenth of one percent. EXAMPLE .....

—	9	8	.	7	%
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**Estimates:** If actual amounts are not available, supply estimates and specify in the notes section.

**Definitions:** Selected items are defined on page 11.

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

## NEW U.S. BUSINESS ENTERPRISE INFORMATION

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

100 **1 1** Yes – **NOTE:**

IF the new U.S. business enterprise is a **holding company**  
 AND is being set up solely for the purpose of acquiring or establishing at least one other U.S. business enterprise  
 AND the initial capitalization, including debt and equity, of the **holding company** is \$60 million or less  
 AND the acquisition or establishment occurs within 180 days of the creation of the **holding company**  
 AND the **holding company** will be dissolved after the acquisition or establishment  
 THEN the new U.S. business enterprise (**holding company**) can file a Form BE-13 Claim for Exemption instead of completing the rest of this form.

**1 2** No

Month Day Year

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

**2 What date was the new U.S. business enterprise established?** ..... 101

**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. (See page 4 EXAMPLES 1 and 2)

**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.

\$ Bil. Mil. Thous. Dols.

**3 What is the total expected cost to all foreign parents' affiliated foreign groups (see page 7 EXAMPLE 6) and their U.S. affiliates to set up the new U.S. business enterprise?** ..... 102

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

**INCLUDE:**

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

**EXCLUDE:**

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

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

105 Name  
 1

\_\_\_\_\_

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

Primary

Other

109 1  
 \_\_\_\_\_ - \_\_\_\_\_

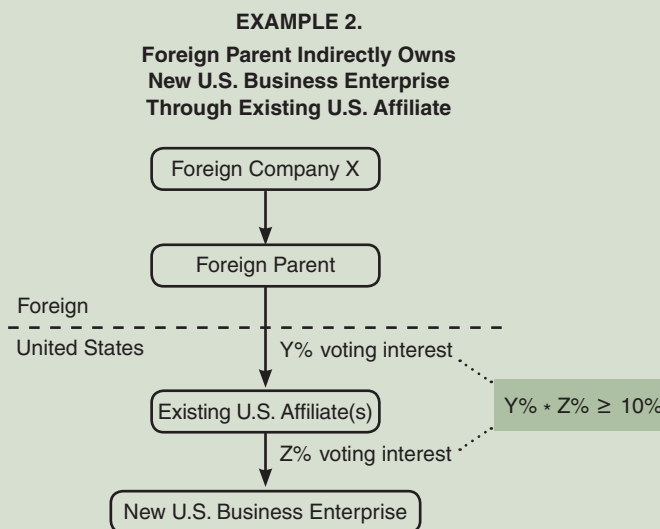
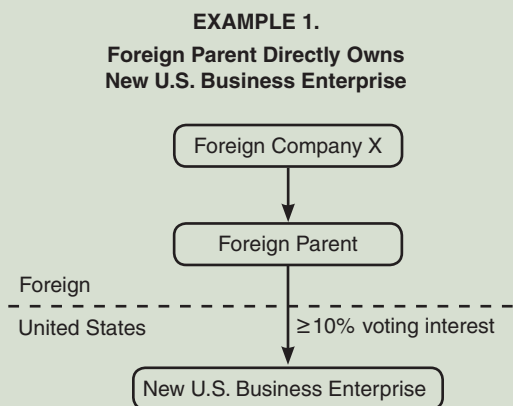
2  
 \_\_\_\_\_ - \_\_\_\_\_

## BE-13B – Ownership Information

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

What percent of voting interest, or equivalent, of the new U.S. business enterprise is held:

		Percent of Voting Interest
<b>6</b> DIRECTLY by foreign parents? (See EXAMPLE 1) .....	150	1 _____ %
<b>7</b> DIRECTLY by existing U.S. affiliates of the foreign parents? (See EXAMPLE 2) .....	151	1 _____ %
<b>8</b> DIRECTLY by other U.S. entities? .....	152	1 _____ %
<b>9</b> DIRECTLY by other foreign entities? (each holding less than 10 percent voting interest in the new U.S. business enterprise) .....	153	1 _____ %
<b>Total of 6 through 9</b> .....		<b>1 0 0 . 0 %</b>



**10** Will data for the new U.S. business enterprise be fully consolidated with the data for another U.S. affiliate that is currently, or will be, filing on BEA forms BE-605, BE-12, or BE-15?

- 170    <sup>1</sup> 1    No, it will be filed separately – the new U.S. affiliate is not owned more than 50% by another U.S. enterprise.—SKIP to **12**
- <sup>1</sup> 2    Yes, it will be fully consolidated with another U.S. affiliate.

**11** What is the name and address of the U.S. affiliate that will file the consolidated report?

171	Name 1			
172	Street 1 1	Street 2 2		
173	City 1		State 2	Zip 3

**12** How many foreign parents does the new U.S. business enterprise have? .....

Number of Foreign Parents

1

**NOTE:** If there is more than one foreign parent (direct and/or indirect) complete **13** through **29** for each additional foreign parent on separate pages. Additional copies of these pages may be downloaded from [www.bea.gov/fdi](http://www.bea.gov/fdi).

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

**NOTE:** If there is more than one foreign parent (direct and/or indirect) complete **13** through **29** for each additional foreign parent on separate pages. Additional copies of these pages may be downloaded from [www.bea.gov/fdi](http://www.bea.gov/fdi).

## IDENTIFYING THE FOREIGN PARENT

**13** What is the name of this foreign parent holding a direct or indirect voting interest in the new U.S. business enterprise?

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

201 Name  
1

**14** What is the country of incorporation of this foreign parent?

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

Country of Foreign Parent

202 1

**15** 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

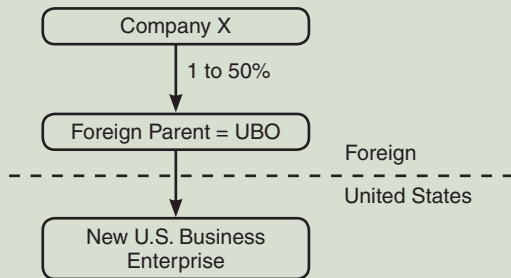
## IDENTIFYING THE ULTIMATE BENEFICIAL OWNER (UBO)

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

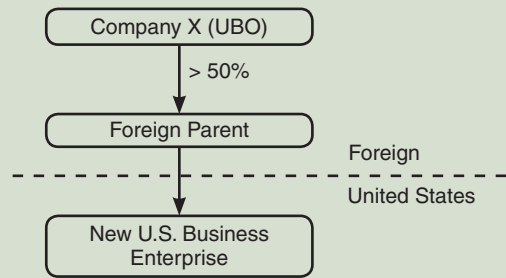
- The UBO is the entity, proceeding up the ownership chain, which is not more than 50 percent owned or controlled by another entity.
- If the foreign parent is owned or controlled more than 50 percent by another entity, then the foreign parent is NOT the UBO.

210 1 1 Yes — SKIP to **19**  
1 2 No

**EXAMPLE 3.**  
Foreign Parent is UBO



**EXAMPLE 4.**  
Foreign Parent is Not UBO



**17** What is the name of the ultimate beneficial owner?

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

211 Name  
1

**18** 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

212 1

**19** What is the industry code of the ultimate beneficial owner?

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

213 1

**IDENTIFYING THE EXISTING U.S. AFFILIATES**

**20 How was the new U.S. business enterprise established?**

- <sup>220</sup> 1 **1** Directly by the foreign parent. (See EXAMPLE 1 on page 4) – *SKIP to 25*
- 1 **2** By existing U.S. affiliates of the foreign parent. (See EXAMPLE 2 on page 4)
- 1 **3** Both directly by the foreign parent and by existing U.S. affiliates of the foreign parent.

In the chart below, answer the following questions:

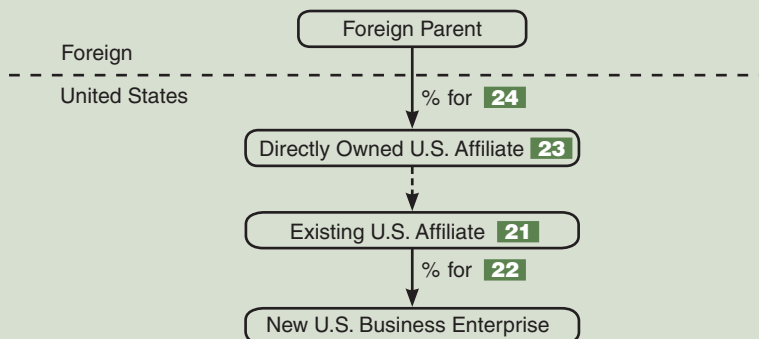
- 21** What are the names and addresses of the existing U.S. affiliates through which the new U.S. business enterprise was established?
- 22** What is the percent of voting interest, to a tenth of one percent, in the new U.S. business enterprise held directly by each existing U.S. affiliate listed in **21**?
- 23** For each existing U.S. affiliate listed in **21**, what is the name and address of the existing U.S. affiliate in the same ownership chain that is **DIRECTLY** owned by this foreign parent? (See EXAMPLE 5) If **23** is the same as **21**, write "same" for **23**.
- 24** What is the percent of voting interest, to a tenth of one percent, held by this foreign parent in each directly-owned U.S. affiliate?

<b>21</b>				<b>22</b>	<b>23</b>				<b>24</b>
Name and Address of Existing U.S. Affiliate				Voting Interest Held by <b>21</b> in the New U.S. Business Enterprise	Name and Address of U.S. Affiliate Directly-owned by This Foreign Parent				Voting Interest Held by This Foreign Parent in <b>23</b>
251	Name 1			2 _____ . ____ %	Name 3			4 _____ . ____ %	
252	Street 1 1				Street 1 2				
253	Street 2 1				Street 2 2				
254	City 1	State 2	Zip 3		City 4	State 5	Zip 6		
255	Name 1			2 _____ . ____ %	Name 3			4 _____ . ____ %	
256	Street 1 1				Street 1 2				
257	Street 2 1				Street 2 2				
258	City 1	State 2	Zip 3		City 4	State 5	Zip 6		

List additional entries on a separate page, if necessary.

**Please provide an organizational chart if there are any U.S. businesses in the ownership chain between an existing U.S. affiliate and its corresponding directly-owned U.S. affiliate.**

**EXAMPLE 5.**  
Existing U.S. Affiliate That Established the New U.S. Business Enterprise is Not Owned Directly by This Foreign Parent



**ESTABLISHMENT INFORMATION**

**25** What is the total expected cost to this foreign parent's affiliated foreign group (see EXAMPLE 6) and its U.S. affiliates to establish the new U.S. business enterprise. Equals sum of **26** and **27** . . . . . 320

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

**INCLUDE:**

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

**EXCLUDE:**

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

**26** What portion of the cost reported in **25** was provided by each of this foreign parent's U.S. affiliates?  
List additional entries on a separate page, if necessary.

	Name of U.S. Affiliate	\$	Bil.	Mil.	Thous.	Dols.
351	1	2				000
352	1	2				000
353	1	2				000
354	1	2				000

**27** What portion of the cost reported in **25** was provided by the affiliated foreign group?  
Include funds they borrowed in the United States and abroad. Equals sum of **28** and **29** . . . . . 371

1	000
1	000

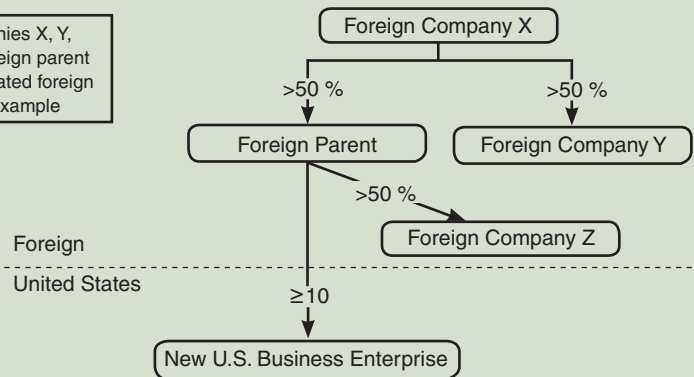
**28** What portion of **27** was in the form of equity? . . . . . 372

1	000
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**29** What portion of **27** was in the form of debt? . . . . . 373

**EXAMPLE 6. Affiliated Foreign Group**

Foreign companies X, Y, and Z and the foreign parent comprise the affiliated foreign group in this example



**Affiliated Foreign Group** means (i) the foreign parent, (ii) any foreign person, proceeding up the foreign parent's ownership chain, which owns more than 50 percent of the person below it, up to and including that person which is not owned more than 50 percent by another foreign person, and (iii) any foreign person, proceeding down the ownership chain(s) of each of these members, which is owned more than 50 percent by the person above it. ("Person" is used in the broad legal sense and includes companies.)

**NOTE:** If there is more than one foreign parent (direct and/or indirect) complete **13** through **29** for each additional foreign parent on separate pages. Additional copies of these pages may be downloaded from [www.bea.gov/fdi](http://www.bea.gov/fdi).

## BE-13B – Financial and Operating Information

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

Report projections for the first fiscal year of operations. Use projections made in the course of planning the investment if available; otherwise give best estimate. If the first fiscal year is less than 12 months, provide annualized numbers for **33** and **34**.

		Month	Day	Year
<b>30</b> What is the ending date for the new U.S. business enterprise's first fiscal year? .....	400	1	___	___
		___	/	___
		___	/	___

		\$	Bil.	Mil.	Thous.	Dols.
<b>AS OF THE DATE REPORTED IN <b>30</b> :</b>						
<b>31</b> What are the projected total assets of the new U.S. business enterprise? .....	401	1				000
<b>32</b> What are the projected total liabilities of the new U.S. business enterprise? .....	402	1				000
<b>33</b> What are the projected total annual sales, or gross operating revenues, of the new U.S. business enterprise? .....	403	1				000
<b>34</b> What is the projected annual net income (loss) of the new U.S. business enterprise after provision for U.S. federal, state, and local income taxes? .....	404	1				000

		Projected Number of Employees
<b>35</b> What is the projected number of employees of the new business enterprise when it is fully operating? If the new U.S. business enterprise's activity will involve large seasonal variations, report a number that presents an average over a year. ....	405	1

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

420	1	<input type="checkbox"/>	Producer of goods
	2	<input type="checkbox"/>	Seller of goods it does not produce
	3	<input type="checkbox"/>	Producer or distributor of information
	4	<input type="checkbox"/>	Provider of services
	5	<input type="checkbox"/>	Real estate
	6	<input type="checkbox"/>	Other—Specify: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 1.2em; vertical-align: middle;"></span>

**37** What are the major products and/or services involved in the activities identified in **36**? If a product, also state what is done to it, i.e., whether it is mined, manufactured, sold at wholesale, transported, packaged, etc.

421	Name	1	
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**38** In what state is the new U.S. business enterprise located? If the new U.S. business enterprise operates in more than one state, then select the state where the largest number of employees are based. If there are no employees, then select the state of incorporation. ....

422	1	
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**39** What will be the new U.S. business enterprise's four-digit industry classification? Select the category below which best describes the industry classification, based on sales or gross operating revenues. (See page 12 for list or go to [www.bea.gov/NAICS2012](http://www.bea.gov/NAICS2012))

423	1	
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**40** Will the new U.S. business enterprise conduct research and development activities when it is fully operating?

424	1	<input type="checkbox"/>	Yes
	2	<input type="checkbox"/>	No



## BE-13B – Project Information

### PROJECT INFORMATION

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

- 500 1  Yes – Provide address:  
 1 2  No

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

Current Number  
of Employees

**42** What is the current number of employees of the new U.S. business enterprise? Include all full-time and part-time employees on the payroll. Exclude contract workers and other workers not carried on the payroll..... 506

1

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

- 508 1  Yes  
 1 2  No, construction has yet to begin  
 1 3  No, construction is complete – Provide completion date:.....  
 1 4  No, the project has been canceled  
 1 5  No, construction is not required for this project

Month Day Year  
 2

For **44** through **50**, how much of the total expected cost to set up the new U.S. business enterprise, reported in **3**, is for:

		\$	Bil.	Mil.	Thous.	Dols.
<b>44</b> Land?.....	510	1				000
<b>45</b> Lease (excluding leasehold improvements)?.....	511	1				000
<b>46</b> Property, plant and equipment expenditures other than land?.....	512	1				000
<b>47</b> Construction (including construction of leasehold improvements)?.....	513	1				000
<b>48</b> Intellectual property rights?.....	514	1				000
<b>49</b> Fees, taxes, permits, licenses?.....	515	1				000
<b>50</b> Other costs (specify in notes section on page 2)?.....	516	1				000
<b>51</b> Total expenditures reported in <b>3</b> . This must match the sum of <b>44</b> through <b>50</b> ..... The difference between <b>51</b> and the sum of <b>44</b> through <b>50</b> is currently:	517	1				000

**52** In which years will the total expenditures reported in **51** be incurred and how much each year?

	Year	Bil.	Mil.	Thous.	Dols.
550	1	2			000
551	1	2			000
552	1	2			000
553	1	2			000
554	1	2			000
555	1	2			000
556	1	2			000

NOTE: BEA will request updated responses to **43** through **52** 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-13B form is estimated to average 2.2 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing burden, to: Director, Bureau of Economic Analysis (BE-1), U.S. Department of Commerce, 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 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.

## 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](http://www.bea.gov/naics2012). See the Summary of Industry Classifications on page 12 of this form.

- |  |   |
|--|---|
| <b>01</b> Government and government-owned or -sponsored enterprise, or quasi-government organization or agency                           | <b>17</b> Information (ISI codes 5111–5191)   |
| <b>02</b> Pension fund — Government run  | <b>18</b> Professional, scientific, and technical services (ISI codes 5411–5419)  |
| <b>03</b> Pension fund — Privately run   | <b>19</b> Other services (ISI codes 1150, 2132, 2133, 5321, 5329, and 5611–8130)  |
| <b>04</b> Estate, trust, or nonprofit organization   | <b>Manufacturing, including fabricating, assembling, and processing of goods:</b>   |
| <b>05</b> Individual   | <b>20</b> Food (ISI codes 3111–3119)  |
| <b>Private business enterprise, investment organization, or group engaged in:</b>  | <b>21</b> Beverages and tobacco products (ISI codes 3121 and 3122)  |
| <b>06</b> Insurance (ISI codes 5242, 5243, 5249)   | <b>22</b> Pharmaceuticals and medicine (ISI code 3254)  |
| <b>07</b> Agriculture, forestry, fishing and hunting (ISI codes 1110–1140)   | <b>23</b> Other chemicals (ISI codes 3251–3259, except 3254)  |
| <b>08</b> Mining (ISI codes 2111–2127)   | <b>24</b> Nonmetallic mineral products (ISI codes 3271–3279)  |
| <b>09</b> Construction (ISI codes 2360–2380)   | <b>25</b> Primary and fabricated metal products (ISI codes 3311–3329)   |
| <b>10</b> Transportation and warehousing (ISI codes 4810–4939)   | <b>26</b> Computer and electronic products (ISI codes 3341–3346)  |
| <b>11</b> Utilities (ISI codes 2211–2213)  | <b>27</b> Machinery (ISI codes 3331–3339)   |
| <b>12</b> Wholesale and retail trade (ISI codes 4231–4540)   | <b>28</b> Electrical equipment, appliances and components (ISI codes 3351–3359)   |
| <b>13</b> Banking, including bank holding companies (ISI codes 5221 and 5229)  | <b>29</b> Motor vehicles and parts (ISI codes 3361–3363)  |
| <b>14</b> Holding companies, excluding bank holding companies (ISI codes 5512 and 5513)  | <b>30</b> Other transportation equipment (ISI codes 3364–3369)  |
| <b>15</b> Other finance (ISI codes 5223, 5224, 5231, 5238, that part of ISI code 5252 that is not estates and trusts, and ISI code 5331) | <b>31</b> Other manufacturing (ISI codes 3130–3231, 3261, 3262, 3370–3399)  |
| <b>16</b> Real estate (ISI code 5310)  | <b>32</b> Petroleum manufacturing, including integrated petroleum and petroleum 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, including a branch.

**Affiliated foreign group** means (i) the foreign parent, (ii) 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 (iii) 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 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. 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) A corporation 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 any ownership of any real estate.

**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** means each and every foreign entity that directly holds a voting interest of 10 percent or more in the U.S. business enterprise identified as the U.S. affiliate.

**Foreign 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.

**Real estate** ownership is a business enterprise unless the real estate is held exclusively for personal use. See the BE-13 Claim for Not Filing for more specific information.

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

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

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

**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.

## SUMMARY OF INDUSTRY CLASSIFICATIONS (ISI codes)

<b>Agriculture, Forestry, Fishing, and Hunting</b>	3334	Ventilation, heating, air-conditioning, and commercial refrigeration equipment	6152	Cable and other subscription programming
1110 Crop production	3335	Metalworking machinery	6171	Wired telecommunications carriers
1120 Animal production	3336	Engines, turbines, and power transmission equipment	6172	Wireless telecommunications carriers, except satellite
1130 Forestry and logging	3339	Other general purpose machinery	6174	Satellite telecommunications
1140 Fishing, hunting, and trapping	3341	Computer and peripheral equipment	6179	Other telecommunications
1150 Support activities for agriculture and forestry	3342	Communications equipment	6182	Data processing, hosting, and related services
	3343	Audio and video equipment	6191	Other information services
<b>Mining</b>	3344	Semiconductors and other electronic components	<b>Finance and Insurance</b>	
2111 Oil and gas extraction	3345	Navigational, measuring, electromedical, and control instruments	5221	Depository credit intermediation (Banking)
2121 Coal	3346	Manufacturing and reproducing magnetic and optical media	5223	Activities related to credit intermediation
2123 Nonmetallic minerals	3351	Electric lighting equipment	5224	Nondepository credit intermediation
2124 Iron ores	3352	Household appliances	5229	Nondepository branches and agencies
2125 Gold and silver ores	3353	Electrical equipment	5231	Securities and commodity contracts intermediation and brokerage
2126 Copper, nickel, lead, and zinc ores	3359	Other electrical equipment and components	5238	Other financial investment activities and exchanges
2127 Other metal ores	3361	Motor vehicles	5242	Agencies, brokerages, and other insurance related activities
2132 Support activities for oil and gas operations	3362	Motor vehicle bodies and trailers	5243	Insurance carriers, except life insurance carriers
2133 Support activities for mining, except for oil and gas operations	3363	Motor vehicle parts	5249	Life insurance carriers
	3364	Aerospace products and parts	5252	Funds, trusts, and other financial vehicles
<b>Utilities</b>	3365	Railroad rolling stock	<b>Real Estate and Rental and Leasing</b>	
2211 Electric power generation, transmission, and distribution	3366	Ship and boat building	5310	Real estate
2212 Natural gas distribution	3369	Other transportation equipment	5321	Automotive equipment rental and leasing
2213 Water, sewage, and other systems	3370	Furniture and related products	5329	Other rental and leasing services
	3391	Medical equipment and supplies	5331	Lessors of nonfinancial intangible assets, except copyrighted works
<b>Construction</b>	3399	Other miscellaneous manufacturing	<b>Professional, Scientific, and Technical Services</b>	
2360 Construction of buildings	<b>Wholesale Trade, Durable Goods</b>		5411	Legal services
2370 Heavy and civil engineering construction	4231	Motor vehicles and motor vehicle parts and supplies	5412	Accounting, tax preparation, bookkeeping, and payroll services
2380 Specialty trade contractors	4232	Furniture and home furnishing	5413	Architectural, engineering, and related services
	4233	Lumber and other construction materials	5414	Specialized design services
<b>Manufacturing</b>	4234	Professional and commercial equipment and supplies	5415	Computer systems design and related services
3111 Animal foods	4235	Metal and mineral (except petroleum)	5416	Management, scientific, and technical consulting services
3112 Grain and oilseed milling	4236	Electrical and electronic goods	5417	Scientific research and development services
3113 Sugar and confectionery products	4237	Hardware, and plumbing and heating equipment and supplies	5418	Advertising, public relations, and related services
3114 Fruit and vegetable preserving and specialty foods	4238	Machinery, equipment, and supplies	5419	Other professional, scientific, and technical services
3115 Dairy products	4239	Miscellaneous durable goods	<b>Management of Companies and Enterprises</b>	
3116 Meat products	4241	Paper and paper product	5512	Holding companies, except bank holding companies
3117 Seafood product preparation and packaging	4242	Drugs and druggists' sundries	5513	Corporate, subsidiary, and regional management offices
3118 Bakeries and tortillas	4243	Apparel, piece goods, and notions	<b>Administrative and Support and Waste Management and Remediation Services</b>	
3119 Other food products	4244	Grocery and related product	5611	Office administrative services
3121 Beverages	4245	Farm product raw material	5612	Facilities support services
3122 Tobacco	4246	Chemical and allied products	5613	Employment services
3130 Textile mills	4247	Petroleum and petroleum products	5614	Business support services
3140 Textile product mills	4248	Beer, wine, and distilled alcoholic beverage	5615	Travel arrangement and reservation services
3150 Apparel	4249	Miscellaneous nondurable goods	5616	Investigation and security services
3160 Leather and allied products	<b>Wholesale Trade, Nondurable Goods</b>		5617	Services to buildings and dwellings
3210 Wood products	4241	Paper and paper product	5619	Other support services
3221 Pulp, paper, and paperboard mills	4242	Drugs and druggists' sundries	5620	Waste management and remediation services
3222 Converted paper products	4243	Apparel, piece goods, and notions	<b>Educational Services</b>	
3231 Printing and related support activities	4244	Grocery and related product	6110	Educational services
3242 Integrated petroleum refining and extraction	4245	Farm product raw material	<b>Health Care and Social Assistance</b>	
3243 Petroleum refining without extraction	4246	Chemical and allied products	6210	Ambulatory health care services
3244 Asphalt and other petroleum and coal products	4247	Petroleum and petroleum products	6220	Hospitals
3251 Basic chemicals	4248	Beer, wine, and distilled alcoholic beverage	6230	Nursing and residential care facilities
3252 Resins, synthetic rubbers, and artificial and synthetic fibers and filaments	4249	Miscellaneous nondurable goods	6240	Social assistance
3253 Pesticides, fertilizers, and other agricultural chemicals	<b>Wholesale Trade, Electronic Markets and Agents and Brokers</b>		<b>Arts, Entertainment, and Recreation</b>	
3254 Pharmaceuticals and medicines	4251	Wholesale electronic markets and agents and brokers	7110	Performing arts, spectator sports, and related industries
3255 Paints, coatings, and adhesives	<b>Retail Trade</b>		7121	Museums, historical sites, and similar institutions
3256 Soap, cleaning compounds, and toilet preparations	4410	Motor vehicle and parts dealers	7130	Amusement, gambling, and recreation industries
3259 Other chemical products and preparations	4420	Furniture and home furnishings	<b>Accommodation and Food Services</b>	
3261 Plastics products	4431	Electronics and appliance	7210	Accommodation
3262 Rubber products	4440	Building material and garden equipment and supplies dealers	7220	Food services and drinking places
3271 Clay products and refractories	4450	Food and beverage	<b>Other Services</b>	
3272 Glass and glass products	4461	Health and personal care	8110	Repair and maintenance
3273 Cement and concrete products	4471	Gasoline stations	8120	Personal and laundry services
3274 Lime and gypsum products	4480	Clothing and clothing accessories	8130	Religious, grantmaking, civic, professional, and similar organizations
3279 Other nonmetallic mineral products	4490	Sporting goods, hobby, book, and music	<b>Public Administration</b>	
3311 Iron and steel mills and ferroalloys	4510	General merchandise	9200	Public administration
3312 Steel products from purchased steel	4520	Miscellaneous store retailers		
3313 Alumina and aluminum production and processing	4530	Miscellaneous store retailers		
3314 Nonferrous metal (except aluminum) production and processing	4540	Nonstore retailers		
3315 Foundries	<b>Transportation and Warehousing</b>			
3321 Forging and stamping	4810	Air transportation		
3322 Cutlery and handtools	4821	Rail transportation		
3323 Architectural and structural metals	4833	Petroleum tanker operations		
3324 Boilers, tanks, and shipping containers	4839	Other water transportation		
3325 Hardware	4840	Truck transportation		
3326 Spring and wire products	4850	Transit and ground passenger transportation		
3327 Machine shops; turned products; and screws, nuts, and bolts	4863	Pipeline transportation of crude oil, refined petroleum products, and natural gas		
3328 Coating, engraving, heat treating, and allied activities	4868	Other pipeline transportation		
3329 Other fabricated metal products	4870	Scenic and sightseeing transportation		
3331 Agriculture, construction, and mining machinery	4880	Support activities for transportation		
3332 Industrial machinery	4920	Couriers and messengers		
3333 Commercial and service industry machinery	4932	Petroleum storage for hire		
	4939	Other warehousing and storage		
	<b>Information</b>			
	5111	Newspaper, periodical, book, and directory publishers		
	5112	Software publishers		
	5121	Motion picture and video industries		
	5122	Sound recording industries		
	5151	Radio and television broadcasting		