

**MANDATORY — CONFIDENTIAL\***

# SURVEY OF NEW FOREIGN DIRECT INVESTMENT IN THE UNITED STATES

## FORM BE-13B

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

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

005 3

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

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

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

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

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

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

010 Company Name  
1

011 In Care Of  
1

012 Attention  
1

013 Street 1  
1

014 Street 2  
1

015 City  
1

State  
2

Zip  
3

Country  
4

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

**WHO MUST REPORT**

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

- (1) The projected total cost to establish and fully operationalize the new legal entity is greater than \$40 million, and
- (2) the foreign entity owns 10 percent or more of the new business enterprise's voting interest (directly, or indirectly through an existing U.S. affiliate).

**REPORT:**

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

**DO NOT REPORT:**

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

**OTHER BE-13 FORMS**

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

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

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

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

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

\*See page 11 for penalties and confidentiality statements.

## BE-13B – Instructions and Contact Information

### INSTRUCTIONS

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

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

\$   Bil.   Mil.   Thous.   Dols.

1                      1      335   000

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

— 9 8 . 7 %

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

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

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

Notes

### CONTACT INFORMATION

Provide information of person to consult about this report:

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

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

### CERTIFICATION

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

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

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

## NEW U.S. BUSINESS ENTERPRISE INFORMATION

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

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

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

2 A ☐ It is being set up solely for the purpose of acquiring or establishing at least one other U.S. business enterprise.

3 B ☐ The initial capitalization, including debt and equity, of the **holding company** is \$60 million or less.

4 C ☐ The acquisition or establishment is occurring within 180 days of the creation of the **holding company**.

5 D ☐ The **holding company** will be dissolved after the acquisition or establishment.

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

E ☐ The new U.S. business enterprise (**holding company**) was established solely to make a single acquisition within 30 days.

6 Do not file this establishment on a Form BE-13B, report it with the acquisition on a single Form BE-13A.

☐ No

1 2

Month Day Year

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

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

101

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

#### INCLUDE:

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

#### EXCLUDE:

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

\$ Bil. Mil. Thous. Dols.

1 000

Total cost ..... 102

#### Affiliated foreign group means:

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

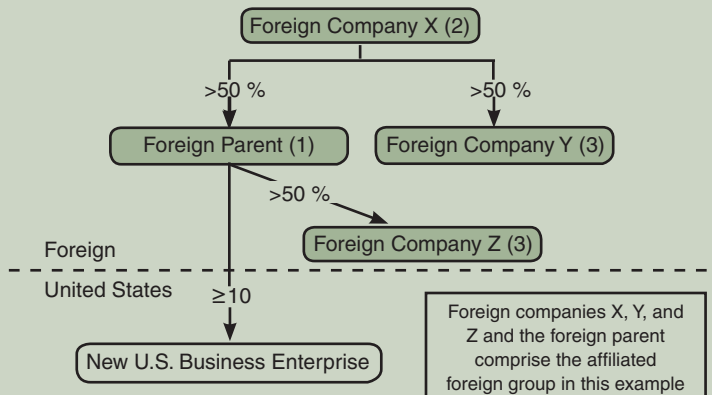
(As used here, "entity" is synonymous with "person," as that term is used in the broad legal sense.)

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

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

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

#### EXAMPLE 1. Affiliated Foreign Group



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

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

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

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

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

105 1

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

<p>Primary</p> <p>109 1 <input style="width: 250px; height: 20px;" type="text"/></p>	<p>Other</p> <p>2 <input style="width: 250px; height: 20px;" type="text"/></p>
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### 6 Is the address of the new U.S. business enterprise different from the address on the cover page?

<p>500 1 <input type="checkbox"/> Yes – Provide address:</p> <p>1 2 <input type="checkbox"/> No</p>	<p>Name 2 <input style="width: 90%; height: 20px;" type="text"/></p> <hr/> <p>Street 1 1 <input style="width: 50%; height: 20px;" type="text"/> Street 2 2 <input style="width: 50%; height: 20px;" type="text"/></p> <hr/> <p>City 1 <input style="width: 50%; height: 20px;" type="text"/> State 2 <input style="width: 20%; height: 20px;" type="text"/> Zip 3 <input style="width: 20%; height: 20px;" type="text"/></p>
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## OWNERSHIP INFORMATION FOR THE NEW U.S. BUSINESS ENTERPRISE

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

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

Number of Foreign Parents .....180 1

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

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

	DIRECT Voting Interest	INDIRECT Voting Interest, Through Existing U.S. Affiliates	TOTAL Voting Interest
191 1 <input style="width: 550px; height: 20px;" type="text"/>	2 ____.____%	3 ____.____%	4 <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
192 1 <input style="width: 550px; height: 20px;" type="text"/>	2 ____.____%	3 ____.____%	4 <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

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

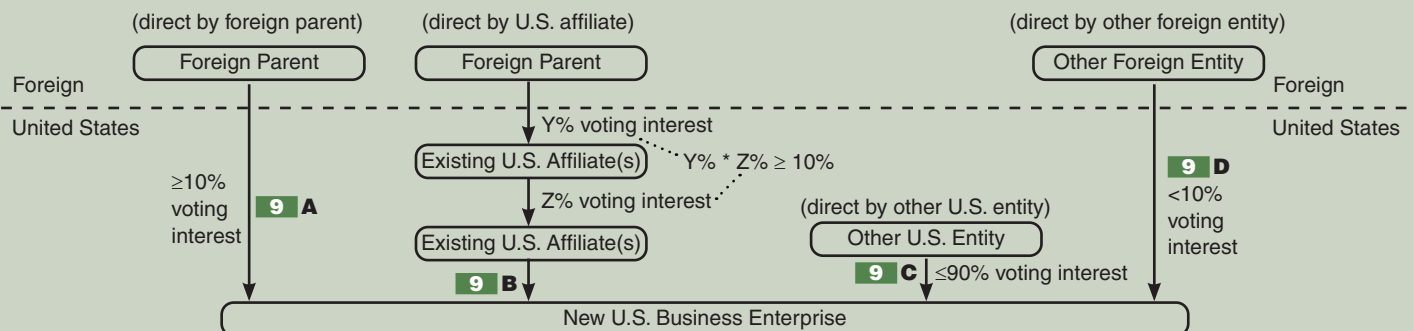
### 9 What percent of voting interest in the new U.S. business enterprise (see EXAMPLE 2) is held:

	Voting Interest
<b>A. DIRECTLY by <u>foreign parents</u>?</b> (This is the sum of direct <u>voting interest</u> provided in <b>8</b> ) ..... 150	1 ____.____%
<b>B. DIRECTLY by existing U.S. <u>affiliates</u> of the <u>foreign parents</u>?</b> ..... 151	1 ____.____%
<b>C. DIRECTLY by other U.S. <u>entities</u>?</b> ..... 152	1 ____.____%
<b>D. DIRECTLY by other foreign <u>entities</u>?</b> (Each holding less than 10 percent <u>voting interest</u> in the new U.S. <u>business enterprise</u> .) ..... 153	1 ____.____%

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

#### EXAMPLE 2.

#### Different Types of Ownership



## BE-13B – Existing U.S. Affiliates

### EXISTING U.S. AFFILIATES

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

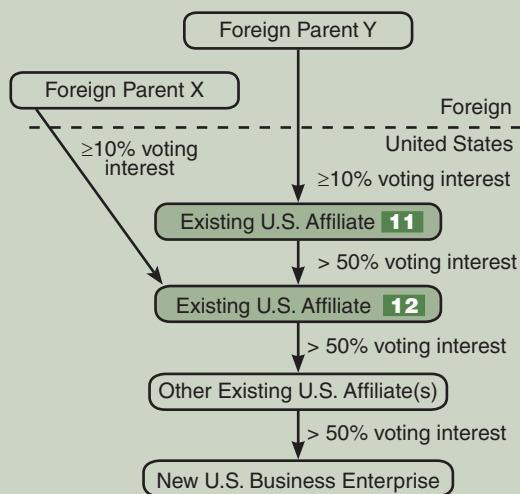
**10** Does any one existing U.S. affiliate **DIRECTLY** own more than 50 percent of the voting interest in the new U.S. business enterprise?

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

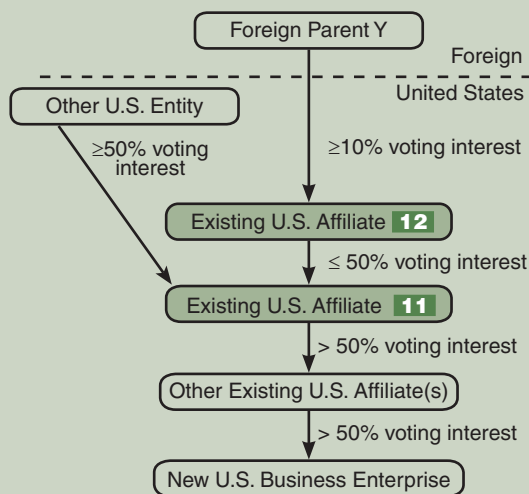
**11** What are the legal name, address, and BEA ID (if it has one) of the existing U.S. affiliate that, proceeding up the ownership chain from the new U.S. business enterprise, is first that is **NOT** more than 50 percent directly owned by another existing U.S. affiliate?  
See EXAMPLES 3 and 4.

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

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



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



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

See EXAMPLES 3 and 4 above.

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

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

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

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

## IDENTIFYING THE FOREIGN PARENT

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

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

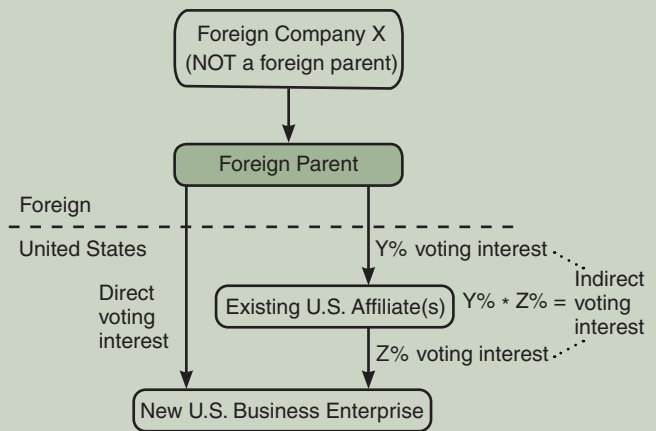
201 1

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

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

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

### EXAMPLE 5. Direct and Indirect Voting Interest



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

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

Country of Foreign Parent

BEA USE ONLY
1

202

### **15** What is this foreign parent's industry code?

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

203 1

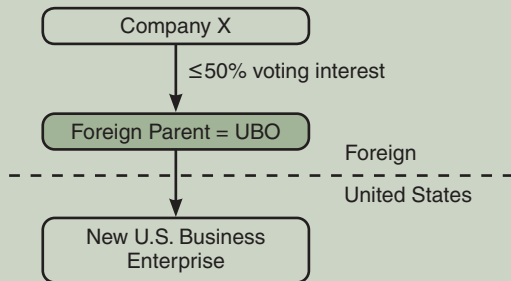
**IDENTIFYING THE ULTIMATE BENEFICIAL OWNER (UBO)**

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

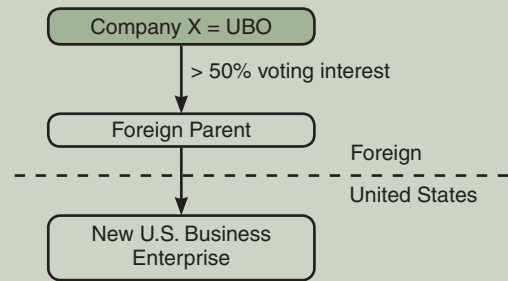
- The UBO is the entity, proceeding up the ownership chain that includes the foreign parent, whose voting interest is not more than 50 percent owned by another entity.
- If the foreign parent is owned or controlled more than 50 percent by another entity, then the foreign parent is NOT the UBO.

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

**EXAMPLE 6. Foreign Parent is UBO**



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



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

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

211 1

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

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

Country of UBO

1  1  
 212

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

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

213 1

**ESTABLISHMENT INFORMATION**

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

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

**INCLUDE**

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

**EXCLUDE**

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

\$ Bil. Mil. Thous. Dols.

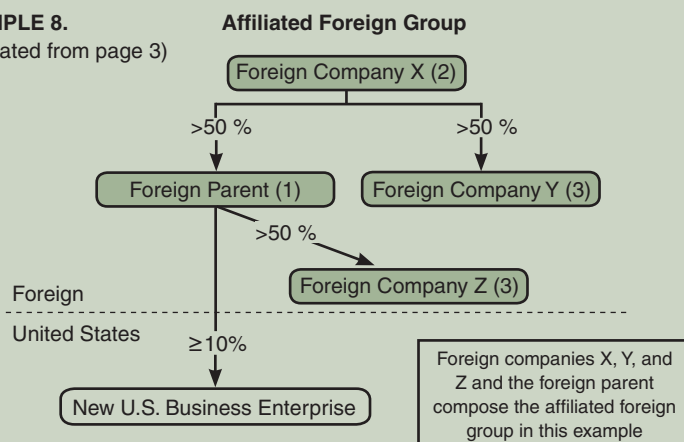
1

Total cost to this foreign parent's AFG and U.S. affiliates ..... 320

000

**EXAMPLE 8.**

(Repeated from page 3)

**Affiliated foreign group** means:

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

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

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

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

\$ Bil. Mil. Thous. Dols.

1

A. This affiliated foreign group DIRECTLY invest in the new U.S. business enterprise as cash or equity? ..... 381

000

1

B. This affiliated foreign group DIRECTLY loan to the new U.S. business enterprise? ..... 382

000

1

C. This affiliated foreign group invest in existing U.S. affiliates as cash or equity? ..... 383

000

1

D. This affiliated foreign group loan to existing U.S. affiliates? ..... 384

000

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

## BE-13B – Financial and Operating Information

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

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

Month    Day    Year

400

1

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

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

	\$	Bil.	Mil.	Thous.	Dols.
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1971					
1972					
1973					
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401

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402

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403

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404

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

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

. 405

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

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

506

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

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

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

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

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

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

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

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

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

424

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

## BE-13B – Project Information

### PROJECT INFORMATION

**34** Is the new U.S. business enterprise 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 project

Month Day Year

2

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

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

\$ Bil. Mil. Thous. Dols.

Total expected cost reported in **3**

000

**35** How much of the total expected cost to set up the new U.S. business enterprise 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 **35 A** through **35 E**: 517

This should match the total expected cost reported in **3**

The difference is currently:

000

000

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

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

Year

Bil. Mil. Thous. Dols.

550

1 \_\_\_

2

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551

1 \_\_\_

2

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552

1 \_\_\_

2

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558

1 \_\_\_

2

000

559

1 \_\_\_

2

000

Sum of **36 A** through **36 E**: 525

This should match the total expected cost reported in **3**

The difference is currently:

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

**RETURN TO COVER PAGE FOR FILING INSTRUCTIONS**

## SURVEY INFORMATION

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

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

**Penalties:** Whoever fails to report may be subject to a civil penalty of not less than \$4,450, and not more than \$44,539, and to injunctive relief commanding such person to comply, or both. Whoever willfully fails to report shall be fined not more than \$10,000 and, if an individual, may be imprisoned for not more than one year, or both. Any officer, director, employee, or agent of any corporation who knowingly participates in such violation, upon conviction, may be punished by a like fine, imprisonment, or both (22 U.S.C. 3105). Civil penalties are subject to inflationary adjustments. Those adjustments are found in 15 CFR 6.4.

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**Confidentiality:** The Act provides that your report to this Bureau is CONFIDENTIAL and may be used only for analytical or statistical purposes. Without your prior written permission, the information filed in your report CANNOT be presented in a manner that allows it to be individually identified. Your report CANNOT be used for purposes of taxation, investigation, or regulation. Copies retained in your files are immune from legal process. Per the Cybersecurity Enhancement Act of 2015, your data are protected from cybersecurity risks through security monitoring of the BEA information systems.

## FOREIGN PARENT AND UBO INDUSTRY CODES

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

**01** Government and government-owned or -sponsored enterprise, or quasi-government organization or agency

**02** Pension fund — Government run

**03** Pension fund — Privately run

**04** Estate, trust, or nonprofit organization

**05** Individual

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

**06** Insurance (ISI codes 5242, 5243, 5249)

**07** Agriculture, forestry, fishing and hunting (ISI codes 1110–1140)

**08** Mining (ISI codes 2111–2127)

**09** Construction (ISI codes 2360–2380)

**10** Transportation and warehousing (ISI codes 4810–4939)

**11** Utilities (ISI codes 2211–2213)

**12** Wholesale and retail trade (ISI codes 4231–4596)

**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 5121–5192)

**18** Professional, scientific, and technical services (ISI codes 5411–5419)

**19** Other services (ISI codes 1150, 2132, 2133, 5321, 5329, and 5611–8130)

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

**20** Food (ISI codes 3111–3119)

**21** Beverages and tobacco products (ISI codes 3121 and 3122)

**22** Pharmaceuticals and medicine (ISI code 3254)

**23** Other chemicals (ISI codes 3251–3259, except 3254)

**24** Nonmetallic mineral products (ISI codes 3271–3279)

**25** Primary and fabricated metal products (ISI codes 3311–3329)

**26** Computer and electronic products (ISI codes 3341–3346)

**27** Machinery (ISI codes 3331–3339)

**28** Electrical equipment, appliances and components (ISI codes 3351–3359)

**29** Motor vehicles and parts (ISI codes 3361–3363)

**30** Other transportation equipment (ISI codes 3364–3369)

**31** Other manufacturing (ISI codes 3130–3231, 3261, 3262, 3370–3399)

**32** Petroleum manufacturing, including integrated petroleum and petroleum

## DEFINITIONS

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

**Affiliated foreign group** means

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Agriculture, Forestry, Fishing, and Hunting

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

### Mining

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

### Utilities

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

### Construction

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

### Manufacturing

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

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

### Wholesale Trade, Durable Goods

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

### Wholesale Trade, Nondurable Goods

- 4241 Paper and paper product
- 4242 Drugs and druggists' sundries
- 4243 Apparel, piece goods, and notions
- 4244 Grocery and related product
- 4245 Farm product raw material
- 4246 Chemical and allied products
- 4247 Petroleum and petroleum products
- 4248 Beer, wine, and distilled alcoholic beverage
- 4249 Miscellaneous nondurable goods

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

- 4251 Wholesale trade agents and brokers

### Retail Trade

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

### Transportation and Warehousing

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

### Information

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

### Finance and Insurance

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

### Real Estate and Rental and Leasing

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

### Professional, Scientific, and Technical Services

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

### Management of Companies and Enterprises

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

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

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

### Educational Services

- 6110 Educational services

### Health Care and Social Assistance

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

### Arts, Entertainment, and Recreation

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

### Accommodation and Food Services

- 7210 Accommodation
- 7220 Food services and drinking places

### Other Services

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

### Public Administration

- 9200 Public administration