

BE-11 Claim for Not Filing

| | | | |
|--|---------------------|---------------------------|--|
| OMB No. 0608-0053: Approval Expires 01/31/2009 | BEA USE ONLY | Reporter ID Number | |
|--|---------------------|---------------------------|--|

FORM **BE-11 (Claim for Not Filing)** (REV. 12/2006) U.S. DEPARTMENT OF COMMERCE BUREAU OF ECONOMIC ANALYSIS

**MANDATORY — CONFIDENTIAL
ANNUAL SURVEY OF U.S. DIRECT INVESTMENT ABROAD — 2006**

| | |
|--|---|
| <p>MAIL REPORTS TO: U.S. Department of Commerce Bureau of Economic Analysis BE-69(A) Washington, DC 20230</p> <p align="center">OR</p> <p>DELIVER REPORTS TO: U.S. Department of Commerce Bureau of Economic Analysis BE-69(A) Shipping and Receiving, Section M-100 1441 L Street, NW Washington, DC 20005</p> | <p>Name and address of U.S. business enterprise for which this claim is filed — If the enterprise received a Form BE-11A but is exempt from filing, enter below the Reporter name, address, and BEA assigned Identification Number (Reporter ID) from the preprinted information provided in Part I, item 1, of Form BE-11A. If a Form BE-11A was not received, enter name and address.</p> <p>Name and address of U.S. Reporter</p> |
|--|---|

A BE-11, *Annual Survey of U.S. Direct Investment Abroad – 2006*, is required from any nonbank U.S. person that had a nonbank foreign affiliate – that is, that had direct or indirect ownership or control of at least 10 percent of the voting stock of an incorporated nonbank foreign business enterprise or an equivalent interest in an unincorporated nonbank foreign business enterprise – at the end of its 2006 fiscal year, unless all of the person's affiliates are exempt. (The U.S. person's 2006 fiscal year is defined to be the person's financial reporting year that has an ending date in calendar year 2006.)

Section 806.4 of 15 CFR, Chapter VIII, requires that all persons subject to the reporting requirements of the BE-11 survey respond, whether or not they are contacted by BEA.

It also requires that all persons, or their agents, who are contacted by BEA about reporting in this survey, either by sending them report forms or by written inquiry, must respond in writing. They may respond by:

- certifying in writing, within 30 days of being contacted by BEA, to the fact that the person had no direct investment within the purview of the reporting requirements of the BE-11 survey;
- completing and returning the "BE-11 Claim for Not Filing" within 30 days of receipt of BE-11 survey report forms; or
- filing the properly completed BE-11 report by May 31, 2007, as required.

BASIS OF CLAIM FOR NOT FILING

Mark (X) and complete either A or B

A. This U.S. person did **not** own or control, directly and/or indirectly, 10 percent or more of the voting securities of an incorporated foreign business enterprise, or an equivalent interest in an unincorporated foreign business enterprise (including a branch or real estate held for other than personal use) at the end of its 2006 fiscal year.

But *did* file the 2005 BE-11, Annual Survey of U.S. Direct Investment Abroad, with this Bureau.

B. This U.S. person **did** own or control, directly or indirectly, 10 percent or more of the voting securities of an incorporated foreign business enterprise, or an equivalent interest in an unincorporated foreign business enterprise (including a branch or real estate held for other than personal use) at the end of its 2006 fiscal year, but (*Mark (X) one*) –

1 None of its foreign affiliates are required to be reported on Forms BE-11B(LF), (SF), or (EZ) or Form BE-11C, because all affiliates are exempt. **You must complete the reverse side of this claim for those affiliates for which you received a preprinted form.** See **Instruction Booklet**, Section I.C., for exemption criteria.

2 The U.S. person is a "bank". See **Instruction Booklet**, Section II.D., for definition of banking.

3 Is fully consolidated in the BE-11 report for another U.S. person – *Give name and address of that person and their BEA Identification Number, if known.*

| | | |
|---|-------|----------|
| Name | | |
| Address – Number and street or P.O. Box | | |
| City | State | ZIP Code |
| BEA Identification Number | | |

C. Other – *Specify and include reference to section of regulations or instructions on which claim is based.*

| |
|--|
| |
|--|

MANDATORY — 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 under Section 5(b)(2) of the Act (22 U.S.C. 3104).

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.

PENALTIES — Whoever fails to report shall be subject to a civil penalty of not less than \$2,500, and not more that \$25,000, 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 violations, upon conviction, may be punished by a like fine, imprisonment or both. (22 U.S.C. 3105)

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. These civil penalties are subject to inflationary adjustments. Those adjustments are found in 15 CFR 6.4.

| | | | | | | | |
|---|-----------|--------|-----------|--|-----------|--------|-----------|
| PERSON TO CONSULT CONCERNING QUESTIONS ABOUT THIS REPORT | | | | CERTIFICATION – The undersigned official certifies that the information contained in this claim is correct and complete to the best of his/her knowledge. | | | |
| Name | | | | Authorized official's signature | | | Date |
| Address | | | | Print or type name and title | | | |
| Telephone | Area code | Number | Extension | | | | |
| FAX Number | | | | Telephone | Area code | Number | Extension |
| E-mail Address | | | | FAX Number | | | |

If you are claiming exemption based upon the criteria in B.1 (see the reverse side of this claim), complete the items below for those affiliates for which you received preprinted forms. Copy the affiliate name and affiliate ID from the preprinted form and complete the remaining items.

| | | |
|---|---|--|
| 1. Name of foreign affiliate: Affiliate ID: | a. Percent ownership at close of fiscal year 2006 – <i>Enter to the nearest tenth of one percent</i> | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> % |
| | | Amount <i>(Thousands of U.S. dollars)</i> |
| | b. Total assets – <i>Balance at close of fiscal year</i> → | <input type="text"/> |
| | c. Annual sales or gross operating revenues, excluding sales taxes | <input type="text"/> |
| | d. Net income (loss) | <input type="text"/> |
| 2. Name of foreign affiliate: Affiliate ID: | a. Percent ownership at close of fiscal year 2006 – <i>Enter to the nearest tenth of one percent</i> | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> % |
| | | Amount <i>(Thousands of U.S. dollars)</i> |
| | b. Total assets – <i>Balance at close of fiscal year</i> → | <input type="text"/> |
| | c. Annual sales or gross operating revenues, excluding sales taxes | <input type="text"/> |
| | d. Net income (loss) | <input type="text"/> |
| 3. Name of foreign affiliate: Affiliate ID: | a. Percent ownership at close of fiscal year 2006 – <i>Enter to the nearest tenth of one percent</i> | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> % |
| | | Amount <i>(Thousands of U.S. dollars)</i> |
| | b. Total assets – <i>Balance at close of fiscal year</i> → | <input type="text"/> |
| | c. Annual sales or gross operating revenues, excluding sales taxes | <input type="text"/> |
| | d. Net income (loss) | <input type="text"/> |
| 4. Name of foreign affiliate: Affiliate ID: | a. Percent ownership at close of fiscal year 2006 – <i>Enter to the nearest tenth of one percent</i> | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> % |
| | | Amount <i>(Thousands of U.S. dollars)</i> |
| | b. Total assets – <i>Balance at close of fiscal year</i> → | <input type="text"/> |
| | c. Annual sales or gross operating revenues, excluding sales taxes | <input type="text"/> |
| | d. Net income (loss) | <input type="text"/> |
| 5. Name of foreign affiliate: Affiliate ID: | a. Percent ownership at close of fiscal year 2006 – <i>Enter to the nearest tenth of one percent</i> | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> % |
| | | Amount <i>(Thousands of U.S. dollars)</i> |
| | b. Total assets – <i>Balance at close of fiscal year</i> → | <input type="text"/> |
| | c. Annual sales or gross operating revenues, excluding sales taxes | <input type="text"/> |
| | d. Net income (loss) | <input type="text"/> |
| 6. Name of foreign affiliate: Affiliate ID: | a. Percent ownership at close of fiscal year 2006 – <i>Enter to the nearest tenth of one percent</i> | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> % |
| | | Amount <i>(Thousands of U.S. dollars)</i> |
| | b. Total assets – <i>Balance at close of fiscal year</i> → | <input type="text"/> |
| | c. Annual sales or gross operating revenues, excluding sales taxes | <input type="text"/> |
| | d. Net income (loss) | <input type="text"/> |

Additional foreign affiliates should be reported on additional copied sheets.

REMARKS