

March 2007

International Services Surveys Conducted by the Bureau of Economic Analysis:

Reporting Requirements for Forms

BE-9, BE-29, BE-30, BE-37, BE-45, BE-80, BE-120, BE-125, BE-185

INTRODUCTION

This brochure describes each of the mandatory surveys of U.S. international services and intangible assets transactions conducted by the Bureau of Economic Analysis (BEA) of the U.S. Department of Commerce. For each survey, it provides information on the frequency, data to be reported, and who must report.

The legal authority for all of the surveys is the International Investment and Trade in Services Survey Act (P.L. 94-472, as amended; 22 U.S.C. 3101-3108); the BE-80 and BE-185 surveys are also authorized by the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4908). Under the International Investment and Trade in Services Survey Act, whoever is required to report but fails to do so may be subject to civil penalties (and/or criminal penalties, for willful noncompliance) and to injunctive relief commanding compliance. Under this same law, responses of individual respondents must be held confidential and may be used only for statistical and analytical purposes.

All U.S. persons that engage in covered transactions with foreign persons must report unless otherwise exempt. The term "U.S. person" is defined as any individual, branch, partnership, associated group, association, estate, trust, corporation, or other organization resident in the United States or subject to the jurisdiction of the United States.

BEA's mandatory services surveys are:

BE-9 - Quarterly Survey of Foreign Airline Operators' Revenues and Expenses in the United States

BE-29 - Annual Survey of Foreign Ocean Carriers' Expenses in the United States

BE-30 - Quarterly Survey of Ocean Freight Revenues and Foreign Expenses of United States Carriers

BE-37 - Annual Survey of U.S. Airline Operators' Foreign Revenues and Expenses

BE-45 - Quarterly Survey of Insurance Transactions by U.S. Insurance Companies with Foreign Persons

BE-80 - Benchmark Survey of Financial Services Transactions Between U.S. Financial Services Providers and Unaffiliated Foreign Persons

BE-120 - Benchmark Survey of Transactions in Selected Services and Intangible Assets with Foreign Persons

BE-125 - Quarterly Survey of Transactions in Selected Services and Intangible Assets with Foreign Persons

BE-185 - Quarterly Survey of Financial Services Transactions Between U.S. Financial Services Providers and Foreign Persons

Questions concerning forms BE-45, BE-80, BE-120, BE-125, and BE-185 should be directed to the International Investment Division at (202) 606-5588. Questions concerning forms BE-9, BE-29, BE-30, and BE-37 should be directed to the Balance of Payments Division at (202) 606-9589 or (202) 606-9559.

BEA also conducts mandatory surveys of U.S. direct investment abroad and foreign direct investment in the United States. Information about these surveys can be found at <http://www.bea.gov/international/index.htm#surveys>. Questions concerning the surveys covering U.S. direct investment abroad should be directed to (202) 606-5566, and questions concerning the surveys covering foreign direct investment in the United States should be directed to (202) 606-5577.

1. BE-9, Quarterly Survey of Foreign Airline Operators' Revenues and Expenses in the United States

a. Frequency:

The survey covers calendar quarters and must be filed within 50 days after the end of the calendar quarter.

b. Who must report/brief description of data to report:

U.S. offices, agents, or other representatives of foreign airline operators that transport passengers or freight and express to or from the United States must report the following data:

- Freight revenue on merchandise exported from, and imported into, the United States
- Shipping weights on which the freight revenues were earned
- Expenses incurred in the United States for fuel and oil, wages and salaries paid to employees in the United States, agents' and brokers' fees and commissions for arrangement of freight and passenger transportation, aircraft handling and terminal services, and all other expenses incurred in the United States except aircraft leasing expenses
- Aircraft with-crew leasing expenses

c. Exemption:

A BE-9 report is required if either the U.S. person's total covered revenues or total covered expenses were \$5,000,000 or more during the previous year or are expected to be \$5,000,000 or more during the current year. A U.S. person is exempt from reporting if total covered revenues and total covered expenses were each less than \$5,000,000 during the previous year and are each expected to be less than \$5,000,000 during the current year.

2. BE-29, Annual Survey of Foreign Ocean Carriers' Expenses in the United States

a. Frequency:

The survey covers calendar years and must be filed within 90 days after the end of the calendar year.

b. Who must report/brief description of data to report:

U.S. agents of foreign ocean carriers must report all relevant transactions of which they have knowledge on port services provided or obtained by them for foreign carriers, and on port services provided by third persons, including:

- Port call expenses
- Cargo expenses
- Fuel expenses
- Other vessel expenses
- Other expenses
- Shipping weight of cargo handled

c. Exemption:

A BE-29 is required if the U.S. agent handled at least forty port calls by foreign vessels and if total covered expenses are \$250,000 or more during the reporting period. A U.S. agent is exempt from reporting if either the total number of port calls by foreign vessels handled in the reporting period is less than forty or if total covered expenses are less than \$250,000.

3. BE-30, Quarterly Survey of Ocean Freight Revenues and Foreign Expenses of United States Carriers

a. Frequency:

The survey covers calendar quarters and must be filed within 50 days after the end of the calendar quarter.

b. Who must report/brief description of data to report:

U.S. carriers (owners or operators) must report the following data by individual foreign country:

- Revenue on cargo outbound from U.S. ports
- Outbound cargo shipping weight
- Revenue on cross-trade cargoes
- Charter hire with-crew and space leasing payments to foreign residents
- Charter hire with-crew and space leasing revenues from foreign residents
- Expenses in foreign countries
- Revenue on cargo inbound into the United States
- Inbound cargo shipping weight

c. Exemption:

A BE-30 is required if either total annual covered revenues or total annual covered expenses of a U.S. carrier are, or are expected to be, \$500,000 or more. A U.S. carrier is exempt from reporting if both total annual covered revenues and total annual covered expenses are, or are expected to be, each less than \$500,000.

4. BE-37, Annual Survey of U.S. Airline Operators' Foreign Revenues and Expenses

a. Frequency:

The survey covers calendar quarters and must be filed within 50 days after the end of the calendar quarter.

b. Who must report/brief description of data to report:

U.S. airline operators engaged in the international transportation of U.S. export freight and the transportation of freight and passengers between foreign points must report the following data:

- Total revenue derived from carriage of export freight and express from the United States to points outside the United States
- Total revenue derived from carriage of freight and express originating from, and destined to, points outside the United States
- Expenses incurred outside the United States for fuel and oil, station and maintenance bases, wages, and other goods and services purchased abroad except aircraft leasing expenses

Aircraft with-crew leasing expenses
Total revenue derived from carriage of passengers originating from, and destined to, points
outside the United States
Interline settlement receipts from and payments to foreign airline operators

c. Exemption:

A BE-37 is required if either the U.S. airline operator's total annual covered revenues or total annual covered expenses are, or are expected to be, \$500,000 or more. A U.S. airline operator is exempt from reporting if both total annual covered revenues and total annual covered expenses are, or are expected to be, each less than \$500,000.

5. BE-45, Quarterly Survey of Insurance Transactions by U.S. Insurance Companies with Foreign Persons

a. Frequency:

The survey is a quarterly report and must be filed within 60 days after the close of each fiscal quarter (or within 90 days after the close of the final quarter of the U.S. reporter's fiscal year).

b. Who must report/brief description of data to report:

U.S. insurance companies that have engaged in insurance transactions with foreign persons must report the following data:

Reinsurance premiums assumed from insurance companies resident abroad
Reinsurance premiums ceded to insurance companies resident abroad
Losses on reinsurance assumed from insurance companies resident abroad
Losses recovered on reinsurance ceded to insurance companies resident abroad
Premiums earned from primary insurance sold to foreign persons
Losses on primary insurance sold to foreign persons
Auxiliary insurance services, receipts
Auxiliary insurance services, payments

(Note: Auxiliary insurance services include agent's commissions, insurance brokering and agency services, insurance consulting services, evaluation and adjustment services, actuarial services, salvage administration services, and regulatory and monitoring services on indemnities and recovery services.)

c. Exemption:

A BE-45 is filed by U.S. insurance companies that have engaged in reinsurance transactions with foreign persons, that have earned premiums from or incurred losses to, foreign persons in the capacity of primary insurers, or that may have been engaged in international sale or purchase transactions in services auxiliary to insurance. Reporting is mandatory if any of the above items was greater than positive \$8,000,000 or less than negative \$8,000,000 for the previous calendar year or can expected to be in the current calendar year. A U.S. insurance company is exempt from reporting if, with respect to transactions with foreign persons, each of the above eight items was \$8,000,000 or less during the past and current year. If the exemption applies, then the U.S. insurance company is requested, but is not required, to provide an estimate for the total for each type of transaction. The estimates may be judgmental, that is, based on recall, without conducting a manual records search.

6. BE-80, Benchmark Survey of Financial Services Transactions Between U.S. Financial Services Providers and Unaffiliated Foreign Persons

a. Frequency:

The survey is conducted once every 5 years. Previous surveys covered transactions during 1994, 1999, and 2004; the next survey will cover transactions during 2009. (In 2009, BEA will propose to change the form number to BE-180 and cover transactions with both affiliated and unaffiliated foreign persons.) The 2004 BE-80 was required to be filed by May 31, 2005.

b. Brief description of data to report:

The 2004 BE-80 covered purchases from and sales to unaffiliated foreign persons of financial services. Limited aggregate data was also collected on transactions with affiliated foreign persons.

For transactions with unaffiliated foreign persons, purchases and sales data were separately reported for each of the following types of financial services:

- Brokerage services related to equity
- Other brokerage services
- Underwriting and private placement services
- Financial management services
- Credit-related services, except credit card services
- Credit card services
- Financial advisory and custody services
- Securities lending services
- Electronic funds transfer services
- Other financial services (must be specified)

c. Who must report/Exemption:

The 2004 BE-80 survey was required from each U.S. person that, during the reporting period, had transactions (either sales or purchases) in excess of \$3,000,000 in all covered financial services combined. If, during the year, the U.S. person's total financial services transactions (either sales or purchases) were \$3,000,000 or less, the U.S. person was requested to provide, on a voluntary basis, an estimate of the total for each type of financial service. The estimates could be judgmental, that is, based on recall, without conducting a detailed records search.

7. BE-120, Benchmark Survey of Transactions in Selected Services and Intangible Assets with Foreign Persons

a. Frequency:

The survey is conducted once every 5 years. This survey replaces the BE-20, Benchmark Survey of Selected Services Transactions Between U.S. and Unaffiliated Foreign Persons that covered transactions during 1986, 1991, 1996, and 2001. The 2006 survey is required to be filed by March 31, 2007.

b. Brief description of data to report:

The survey is intended to collect information on U.S. international trade in all types of services and intangible assets for which information is not collected in other BEA surveys and is not available to BEA from other sources. The major types of services transactions not covered by the BE-120 survey are travel, transportation, insurance (except for purchases of primary insurance), financial services (except for purchases by non-financial firms), and expenditures by students and medical patients who are studying or seeking treatment in a country different from their country of residence.

The 2006 BE-120 covers transactions (purchases and sales or, for some services, only purchases or only sales) with affiliated and unaffiliated foreign persons in the following types of services:

- Accounting, auditing and bookkeeping services
- Advertising services
- Auxiliary insurance services (except by U.S. insurance companies)
- Computer and data processing services
- Construction services
- Data base and other information services
- Educational and training services
- Engineering, architectural, and surveying services
- Financial services, by non-financial firms (payments only)
- Industrial engineering services
- Industrial-type maintenance, installation, alteration, and training services
- Legal services
- Management, consulting, and public relations services (including allocated expenses)
- Merchanting services (receipts only)
- Mining services
- Operational leasing services
- Performing arts, sports, and other live performances, presentations, and events
- Premiums paid or losses recovered on primary insurance (payments only)
- Research, development, and testing services
- Telecommunications services
- Trade-related services, other than merchanting services
- Other selected services (The type of service must be specified.)

The BE-120 collects the following data from U.S. persons that have entered into agreements with affiliated and/or unaffiliated foreign persons to buy, sell, or use the following types of intangible assets or proprietary rights:

- Industrial processes and products
- Books, compact disks, audio tapes, etc.
- Trademarks
- Performances and events pre-recorded on motion picture film and TV tape
- Broadcast and recording of live performances and events
- General use computer software
- Business format franchises
- Other intangible assets

c. Who must report/Exemption:

The 2006 BE-120 is required from each U.S. person that had receipts from affiliated and unaffiliated foreign persons in any of the categories listed above that exceeded \$2,000,000 during its 2006 fiscal year; or had payments to affiliated and unaffiliated foreign persons in any of the categories listed above

that exceeded \$1,000,000 during its 2006 fiscal year. If, during the U.S. person's 2006 fiscal year, the U.S. person's total transactions in any of the categories listed above were \$2,000,000 or less for receipts or \$1,000,000 or less for payments, the U.S. person is requested to provide, on a voluntary basis, estimates of the total for each type of service. The estimates may be judgmental, that is, based on recall, without conducting a detailed records search.

8. BE-125, Quarterly Survey of Transactions in Selected Services and Intangible Assets with Foreign Persons

a. Frequency:

The survey is a quarterly report and must be filed within 45 days after the close of each fiscal quarter (or within 90 days after the close of the final quarter of the U.S. reporter's fiscal year). Beginning with the first quarter 2007, the BE-125 replaces the BE-25, Quarterly Survey of Transactions Between U.S. and Unaffiliated Foreign Persons in Selected Services and in Intangible Assets.

b. Brief description of data to report:

The survey is intended to collect information on U.S. international trade in all types of services and intangible assets for which information is not collected in other BEA surveys and is not available to BEA from other sources. The major types of services transactions not covered by the BE-125 survey are travel, transportation, insurance (except for purchases of primary insurance), financial services (except for purchases by non-financial firms), and expenditures by students and medical patients who are studying or seeking treatment in a country different from their country of residence.

The BE-125 covers transactions (purchases and sales or, for some services, only purchases or only sales) with affiliated and unaffiliated foreign persons in the following types of services:

- Accounting, auditing and bookkeeping services
- Advertising services
- Auxiliary insurance services (except by U.S. insurance companies)
- Computer and data processing services
- Construction services
- Data base and other information services
- Educational and training services
- Engineering, architectural, and surveying services
- Financial services, by non-financial firms (payments only)
- Industrial engineering services
- Industrial-type maintenance, installation, alteration, and training services
- Legal services
- Management, consulting, and public relations services (including allocated expenses)
- Merchanting services (receipts only)
- Mining services
- Operational leasing services
- Performing arts, sports, and other live performances, presentations, and events
- Premiums paid or losses recovered on primary insurance (payments only)
- Research, development, and testing services
- Telecommunications services
- Trade-related services, other than merchanting services
- Other selected services (The type of service must be specified.)

The BE-125 collects the following data from U.S. persons that have entered into agreements with affiliated and/or unaffiliated foreign persons to buy, sell, or use the following types of intangible assets or proprietary rights:

- Industrial processes and products
- Books, compact disks, audio tapes, etc.
- Trademarks
- Performances and events pre-recorded on motion picture film and TV tape
- Broadcast and recording of live performances and events
- General use computer software
- Business format franchises
- Other intangible assets

c. Who must report/Exemption:

A BE-125 report is required from each U.S. person that had receipts from affiliated and unaffiliated foreign persons in any of the categories listed above that exceeded \$6,000,000 during the previous fiscal year, or can be expected to exceed \$6,000,000 in the current year; or had payments to affiliated and unaffiliated foreign persons in any of the categories listed above that exceeded \$4,000,000 during the previous fiscal year, or can be expected to exceed \$4,000,000 in the current year. If, during the U.S. person's previous fiscal year or current fiscal year, the U.S. person's total transactions in any of the categories listed above were, or are expected to be, \$6,000,000 or less for receipts or \$4,000,000 or less for payments, the U.S. person is requested to provide an estimate for the total for each category. The estimates may be judgmental, that is, based on recall, without conducting a manual records search.

9. BE-185, Quarterly Survey of Financial Services Transactions Between U.S. Financial Services Providers and Foreign Persons

a. Frequency:

The survey is a quarterly report and must be filed within 45 days after the close of each fiscal quarter (or within 90 days after the close of the final quarter of the U.S. reporter's fiscal year). Beginning with the first quarter 2007, the BE-185 replaces the BE-85, Quarterly Survey of Financial Services Transactions between U.S. Financial Services Providers and Unaffiliated Foreign Persons.

b. Brief description of data to report:

The survey covers purchases from and sales to affiliated and unaffiliated foreign persons of financial services. Purchases and sales data must be separately reported for each of the following types of financial services:

- Brokerage services related to equity transactions
- Other brokerage services
- Underwriting and private placement services
- Financial management services
- Credit-related services, except credit card services
- Credit card services
- Financial advisory and custody services
- Securities lending services
- Electronic funds transfer services
- Other financial services (must be specified)

c. Who must report/Exemption:

A BE-185 is required from each U.S. person that had financial services receipts from affiliated and unaffiliated foreign persons in all financial services combined in excess of \$20,000,000 for the previous fiscal year or for which such receipts are expected to exceed that amount in the current fiscal year, or that had financial services payments to affiliated and unaffiliated foreign persons in all financial services combined in excess of \$15,000,000 for the previous fiscal year, or for which such payments are expected to exceed that amount in the current fiscal year. If covered receipts were \$20,000,000 or less, or if covered purchases were \$15,000,000 or less, during your previous fiscal year and are expected to be at or below these amounts for the current fiscal year, the U.S. person is requested to provide, on a voluntary basis, an estimate of the total for each type of financial service. The estimates may be judgmental, that is, based on recall, without conducting a detailed records search.