



2009 BENCHMARK SURVEY OF U.S. DIRECT INVESTMENT ABROAD MANDATORY — CONFIDENTIAL BE-10 Claim for Not Filing

<p>REPORT ELECTRONICALLY: www.bea.gov/efile</p> <p>MAIL REPORTS TO: U.S. Department of Commerce Bureau of Economic Analysis, BE-69(A) Washington, DC 20230</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>FOR INFORMATION OR ASSISTANCE: E-mail: be10/11@bea.gov Telephone: (202) 606-5566 Fax: (202) 606-5312</p> <p>Please include your BEA Identification Number with all requests.</p> <p>Copies of instructions and blank forms: www.bea.gov</p>	<p>BEA USE ONLY</p>	<p>Reporter ID Number</p>	
<p>1. Name and address of U.S. Reporter</p>			

A BE-10, Benchmark Survey of U.S. Direct Investment Abroad — 2009, is required from any U.S. person that had a foreign affiliate — that is, that had direct or indirect ownership or control of at least 10 percent of the voting stock of an incorporated foreign business enterprise or an equivalent interest in an unincorporated foreign business enterprise — at **any** time during its 2009 fiscal year. (The U.S. person's 2009 fiscal year is defined to be the person's financial reporting year that has an ending date in calendar year 2009.)

Section 806.4 of 15 CFR, Chapter VIII, requires that all persons subject to the reporting requirements of the BE-10 survey respond, whether or not they are contacted by BEA.

It also requires that 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:

- filing the properly completed BE-10 report by May 28, or June 30, 2010, as required;
- completing and returning the "BE-10 Claim for Not Filing" by May 28, 2010; or
- certifying in writing, by May 28, 2010, to the fact that the person had no direct investment within the purview of the reporting requirements of the BE-10 survey.

PERSON TO CONSULT CONCERNING QUESTIONS ABOUT THIS REPORT — Enter name and address				<p>CERTIFICATION — The undersigned official certifies that the information contained in this claim is correct and complete to the best of his/her knowledge.</p>				
0990	Name							
0991	Address							
0992				Authorized official's signature		Date		
0993				0995	Print or type name and title			
0994	Telephone number	Area code	Number	Extension	0996	Telephone number	0997	Fax number

May fax and/or e-mail be used in correspondence between your enterprise and BEA, including faxed reports, and/or to discuss questions relating to this survey that may contain information about your company that you may consider confidential? NOTE: The internet and telephone systems are not secure means of transmitting confidential information unless it is encrypted. If you choose to communicate with BEA via fax or electronic mail, BEA cannot guarantee the security of the information during transmission, but will treat information we receive as confidential in accordance with Section 5(c) of the International Investment and Trade in Services Survey Act.

0998	E-mail:	<input type="checkbox"/> 1 Yes (If yes, please print your e-mail address.) → <input type="checkbox"/> 2 No	E-mail address (Please print)
			1
			0999
1000	Fax:	<input type="checkbox"/> 1 Yes (If yes, please print your fax number.) → <input type="checkbox"/> 2 No	Fax number
			1
			1001

BE-10 Claim for Not Filing

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 any time during its 2009 fiscal year.
- But *did* file a 2008 BE-11 Annual Survey of U.S. Direct Investment Abroad report with this Bureau.
- And *did not* file a 2008 BE-11 Annual Survey of U.S. Direct Investment Abroad report 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) during its 2008 fiscal year, but *(Mark (X) one)* ↘

- 1 The owners are citizens of a foreign country who **(a)** are residing in the U.S. as a result of official employment by a foreign government (including the immediate family of such persons), or **(b)** have been and expect to be residing in the U.S. for less than one year.

- 2 Is fully consolidated in the BE-10 report of another U.S. person — *Give name and address of that person and their BEA Identification Number, if known.* →

Name		
Address — <i>Number and street or PO Box</i>		
City	State	ZIP Code
BEA Identification Number →		

- 3 Other — *Specify and include reference to section of regulations or instructions on which claim is based.* ↘

Remarks

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 than \$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) These 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.