

## **BE-82 FAQ's**

### **Why do I need to complete the BE-82? Is this survey mandatory?**

Reports on this form are required in order to obtain reliable and up-to-date information on selected services transactions between U.S. persons and unaffiliated foreign persons. The information will be used to help support trade negotiations, formulate U.S. policy, and analyze the impact of that policy and the policies of foreign countries, on international trade in services. The data will also be used in compiling the U.S. international transactions and national income and product accounts. This survey has been mandated by Congress under the authority of the International Investment and Trade in Services Survey Act.

U.S. entities who receive this survey, or who have services transactions with unaffiliated foreign persons are required to complete this survey and send the completed survey back to the Bureau of Economic Analysis. Whether they need to complete the schedules on the survey, or merely the exemption claim on the survey, depends on whether they have any reportable transactions and the amounts of such transactions.

Data reported on this survey is confidential and may be used only for analytical or statistical purposes. Without your prior written permission, the information filed on the survey CANNOT be presented in a manner that allows it to be individually identified. Your survey CANNOT be used for purposes of taxation, investigation, or regulation. Copies retained in your files are immune from legal process.

### **What is an “unaffiliated foreign person?”**

An affiliate is defined as any entity that your company has at least a ten percent direct ownership in, or a company that has at least ten percent direct ownership in you. Anything less than ten percent direct ownership would be considered unaffiliated. Foreign is defined as a person or entity that is not physically located within the United States, Puerto Rico, or U.S. territory such as Guam or the Marshall Islands.

### **I believe I am exempt in filing data on the schedules on this survey. How do I file an exemption?**

Look on the page 3 of the BE-82 (A) form in the **EXEMPTION CLAIM** section

- If you were not in existence at any time during the reporting period, then mark Box 1.
- If you had no subsidiaries or parts that were not financial services providers, then mark Box 2.
- If you had no services transactions, either sales or purchases, of the types of services covered on the BE-82, then mark Box 3.
- If you had services transactions, either sales or purchases, but total sales of each type of service covered on the BE-82 did not exceed \$10,000,000 (and you don't wish to report voluntarily on the Schedules), then mark Box 4 and, to the right, report the total sales/purchases of services that you had with unaffiliated foreign persons.
- If you were owned to the extent of more than 50% of your voting stock by another U.S.

enterprise, then mark Box 5 and, to the right, specify the name and address of your top U.S. parent in spaces below.

Sign the certification section on the front of the form. Return the form to us as instructed.

**I am a pension or trust fund, not a financial services provider, Why did I receive this form?**

According to the North American Industrial Classification System, financial service providers include insurance carriers and related activities (agents, brokers and services providers), pension funds, trusts, mutual funds and real estate investment trusts.

**We are just a local U.S. bank. We do have some customers that are foreign persons, what would we report on the BE-82?**

Services such as account maintenance fees, safe deposit box fees, ATM or debit card fees are examples of fees that you would report on the BE-82 form.

**Can I fax the completed form to you to save time?**

Certainly. Our fax number here is (202) 606-5318. It is not necessary to address it to anyone's attention.

**Can I email my completed form to you to save time?**

Yes, but only if you completed the Microsoft Excel version of the form. Other versions are too large to transmit via electronic mail. You may email a completed BE-82 in MS Excel format to [faith.brannam@bea.gov](mailto:faith.brannam@bea.gov)

**How can I get a MS Excel version of this form?**

You can get a MS Excel version of the BE-82 by sending an email to [BE-82@bea.gov](mailto:BE-82@bea.gov) This is an automated system, and it will automatically send you an excel version of the form. If you do not receive one right away, either call (202) 606-9813 or email [faith.brannam@bea.gov](mailto:faith.brannam@bea.gov) for assistance.

**The address you sent this form to is no longer current. How do I update it?**

You can update your company's address by crossing out the incorrect information at the top of the form and writing in the new information, or you may call (202) 606-9813 and we will update our files right away.

**An entity in our company which engaged in BE-82 transactions and reported data in the past was sold during the fiscal year for which you're requesting data. Am I still responsible for reporting their data?**

Yes. You should report any applicable transactions for that company from the beginning of the fiscal year up until the time that the entity was sold. That entity's new parent company should report any applicable transactions from the time they began ownership until the end of the fiscal year.

**You're requesting data for fiscal year end 2003, but our fiscal year ends March 31, 2004. What should I do?**

You should report for the period April 1, 2002 until March 31, 2003. If your fiscal year ends on January 31, you should report for the period beginning February 1, 2002 and ending January 31, 2003.

**What if I am unable to complete the BE-82 survey by the March 31, 2004 due date?**

Normally, requests for an extension of the reporting deadline are not granted. However, in a hardship case, a written request for an extension will be considered if it is received before the due date. These written requests can be faxed to BEA at (202) 606-5318. BEA will provide a written response to such a request.

If you did not complete the survey by the due date, we still want the survey as soon as possible. If you are not able to complete and send the BE-82 to BEA by March 31, 2004, please contact us at (202) 606-5588 and discuss your situation, including when you believe you will be able to complete and send the survey to us.

**Can I file the BE-82 report electronically?**

Yes, ASTAR is available for electronic reporting. You will need to obtain a password to use ASTAR. You should send an e-mail request with "BE-82" in the subject line to [password@bea.gov](mailto:password@bea.gov). In the body, you will provide the Control Number (which is found on Part I, line 1, on page 1 of the BE-82(A) form you received), the year you wish to file, company name and your name and phone number(s). BEA will reply with your company's US ID, password, and instructions to get you started.

**I cannot find a copy of the BE-82 report we filed last year, can you send me a copy of what my company filed last year?**

Because of the confidential nature of the data reported on the BE-82, copies of what had been filed on previous years' BE-82's cannot be released **even to your own company** without your company's prior written permission. Such a written request should be on your company's letterhead and either mailed or faxed to BEA.

**Do I need to submit a hard copy of the BE-82 form if I'm submitting the form by fax or electronically?**

No. A single submission, whether by mail, fax, or electronically, is sufficient.

**How should I report receipts/payments data on the BE-82?**

Report data in U.S. dollars rounded to thousands (omitting 000). For example, \$1,455,328 should be reported as 1,455. Amounts less than \$500 round to 0 and should, therefore, be omitted.

**How do I indicate on the BE-82 what type of services I am selling/purchasing?**

Both Schedule A (Receipts of Fees and Commissions From Unaffiliated Foreign Persons for Financial Services) and Schedule B (Payments of Fees and Commissions From Unaffiliated Foreign Persons for Financial Services) have lists of services that are covered on those particular schedules. Each type of service has a number corresponding number to it (for example, brokerage services is service #1 and financial management services is service #3). Near the top of Schedules A and B, there are several columns headed by "Service number:". Just right below that, write in the number that corresponds to the type of service that you are reporting. If you have more types of services than columns provided, simply report them on the overflow sheets provided or write the data on a separate sheet of paper, making sure that you list the proper service type with the proper country.

**When do I complete line 21 on the schedule(s)?**

You should complete line 21 if you are reporting receipts or payments for **Brokerage** services. The amount(s) reported on a, b, or c should total the amount reported for **Brokerage** services on the schedule(s)