

# Ecovis Global

<https://www.ecovis.com/global/the-due-date-is-approaching-for-the-be-12-benchmark-survey-foreign-direct-investment-in-the-united-states/>

## The due date is approaching for the “BE-12 Benchmark Survey”: Foreign Direct Investment in the United States

15. March 2023

All entities subject to the reporting requirements established by the Bureau of Economic Analysis (BEA) must file the annual BE-12 survey for benchmarking, which covers all fiscal years ended in 2022, no later than May 31, 2023 if paper filing, and by June 30, 2023 if e-filing.

An extension may be available upon request to the BEA via email or phone before the due date.

A BE-12 report is required for each U.S. affiliate, i.e., for each U.S. business enterprise (including real estate held for non-personal use) in which a foreign person or entity owned or controlled, directly or indirectly, 10 percent or more of the voting securities of an incorporated U.S. business enterprise, or an equivalent interest if an unincorporated U.S. business enterprise, at the end of the business enterprise’s fiscal year that ended within calendar year 2022.

A U.S. affiliate is:

an affiliate located in the U.S. in which a foreign person has a direct investment,

a majority-owned U.S. affiliate means a U.S. affiliate in which the combined direct and indirect voting interest of all foreign parents of the U.S. affiliate exceeds 50 percent, or

a minority-owned U.S. affiliate means a U.S. affiliate in which the combined direct and indirect voting interest of all foreign parents of the U.S. affiliate is 50 percent or less.

Filing requirements vary by form within the series, and reports generally include: total assets, gross sales or operating income and net income, number

of employees, type of business, among others. This information is confidential and will only be used by the BEA for statistical analysis of the U.S. economy.

Failure to comply with the BE-12 survey submission requirements may result in civil and potentially criminal penalties for failure to report properly. Officers, directors, employees, or agents of an entity that fail to submit the survey may be subject to criminal penalties.

Do not hesitate to contact Marcum LLP\* if you or one of your clients is subject to this formality.



Mark Chaves  
International Tax Co-Leader  
EE.UU.

**Marcum LLP\***  
[mark.chaves@marcumllp.com](mailto:mark.chaves@marcumllp.com)

*\*Marcum LLP is the exclusive associated partner of ECOVIS International for accounting, tax and audit in the United States of America.*

**Sign up to our newsletter!**

Contact us:

**Mark Chaves**

**Marcum LLP**

730 3rd Avenue, 11th Floor  
10017 New York  
Phone: +1 212 485 55 00  
[www.marcumllp.com](http://www.marcumllp.com)