

## FACTORS IN PLANNING TARGET FORMULA—Continued

| Factor                        | Data source                                              | Weighting | Rationale                                                                                                                                 |
|-------------------------------|----------------------------------------------------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Other Use Impact—319(a) ..... | N/A .....                                                | N/A       | All NPS factors for ag, urban, forestry & mining are based upon land-based activities, therefore addressing impaired & threatened waters. |
| Mining .....                  | 1987 NRI .....                                           | 0.0572    | State's fraction of mined acres as surrogate for mining.                                                                                  |
| Pesticides .....              | 1980 RCA Appraisal .....                                 | 0.0074    | Amount & rate of application of active ingredients for pesticides recommended for inclusion in EPA's National Pesticide Survey.           |
|                               | 1987 NRI .....                                           |           |                                                                                                                                           |
|                               | 1986 National Pesticide Usage Data Base, RFF & EPA ..... |           |                                                                                                                                           |

\*The weighting for "Other Factors" is based on the allocation after National set-asides have been subtracted from the total appropriated funds. As a result, the sum of the weighting for "Other Factors" is unity.

**Note:** These factors are unchanged from EPA's current formula.

## Appendix E

## State-by-State Section 319 Allocation

This Appendix sets forth, for each State, its percentage of the total allocation of Section 319 dollars each year. To calculate the allocation provided to a particular State in a particular year, do the following:

1. Begin with the total 319 funding appropriated by Congress for the year in question.

2. Subtract at least 1/3% of the total 319 appropriation for distribution to Indian Tribes. (The Clean Water Act allows EPA to provide only up to one-third of one percent of the total 319 appropriation to Tribes. However, for each of the past several years, Congress has removed that limitation for the year in question, and EPA has provided that \$6 million of the total 319 appropriation should be distributed to eligible Tribes. Since this depends on annual congressional appropriations language, the annual allocation of Section 319 funds to Indian Tribes cannot be reliably predicted.)

3. Multiply the funds remaining after step #2 by the applicable State percentage below.

|                      | Percentage |
|----------------------|------------|
| <b>Region 15</b>     |            |
| Connecticut .....    | 0.98       |
| Maine .....          | 1.17       |
| Massachusetts .....  | 1.36       |
| New Hampshire .....  | 0.76       |
| Rhode Island .....   | 0.68       |
| Vermont .....        | 0.74       |
| <b>Region 2</b>      |            |
| New Jersey .....     | 1.67       |
| New York .....       | 3.40       |
| Puerto Rico .....    | 0.56       |
| Virgin Islands ..... | 0.27       |
| <b>Region 3</b>      |            |
| Delaware .....       | 0.72       |
| Dist. Of Col. ....   | 0.63       |
| Maryland .....       | 1.34       |
| Pennsylvania .....   | 2.95       |
| Virginia .....       | 1.97       |
| West Virginia .....  | 1.10       |
| <b>Region 4</b>      |            |
| Alabama .....        | 1.96       |
| Florida .....        | 3.92       |
| Georgia .....        | 2.34       |
| Kentucky .....       | 1.71       |
| Mississippi .....    | 1.92       |
| N. Carolina .....    | 2.33       |
| S. Carolina .....    | 1.56       |

|                  | Percentage |
|------------------|------------|
| Tennessee .....  | 1.59       |
| <b>Region 5</b>  |            |
| Illinois .....   | 4.12       |
| Indiana .....    | 2.25       |
| Michigan .....   | 2.93       |
| Minnesota .....  | 3.46       |
| Ohio .....       | 3.04       |
| Wisconsin .....  | 2.59       |
| <b>Region 6</b>  |            |
| Arkansas .....   | 1.97       |
| Louisiana .....  | 2.44       |
| New Mexico ..... | 1.22       |
| Oklahoma .....   | 1.58       |
| Texas .....      | 4.75       |
| <b>Region 7</b>  |            |
| Iowa .....       | 2.29       |
| Kansas .....     | 1.85       |
| Missouri .....   | 2.31       |
| Nebraska .....   | 1.82       |
| <b>Region 8</b>  |            |
| Colorado .....   | 1.27       |
| Montana .....    | 1.33       |
| N. Dakota .....  | 2.42       |
| S. Dakota .....  | 1.64       |
| Utah .....       | 0.92       |
| Wyoming .....    | 0.98       |
| <b>Region 9</b>  |            |
| Arizona .....    | 1.64       |
| California ..... | 5.34       |
| Hawaii .....     | 0.77       |
| Nevada .....     | 0.85       |
| Am. Samoa .....  | 0.27       |
| Guam .....       | 0.27       |
| Marianas .....   | 0.27       |
| <b>Region 10</b> |            |
| Alaska .....     | 1.22       |
| Idaho .....      | 1.24       |
| Oregon .....     | 1.39       |
| Washington ..... | 1.92       |

## Appendix F—Generic Grant Condition Regarding Watershed-Based Plans

The recipient [name of State lead nonpoint source agency] has received a grant to implement one or more watershed-based plans. The recipient shall complete the development of a watershed-based plan, including all of the information required by elements (a)—(i) in Section III. D of these guidelines ("Watershed-Based Plans"), prior to beginning to implement it with Section 319 funds.

Upon request by EPA, the recipient [name of State lead nonpoint source agency] shall

provide a copy of any watershed-based plan funded under Section 319 as well as any available information regarding the status of implementation activities and results, including but not limited to any reports on BMP's implemented; 319 funds expended; contributions of funds by other sources to assist in implementation of the watershed-based plans (to the extent this information is readily available to the State); results achieved; and other relevant and appropriate information.

[FR Doc. 03-26755 Filed 10-22-03; 8:45 am]

BILLING CODE 6560-50-P

## EXPORT-IMPORT BANK

[Public Notice 56]

## Agency Information Collection Activities: Submission for OMB Review; Comment Request

**AGENCY:** Export-Import Bank of the United States.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Export-Import Bank, as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments should be received on or before November 24, 2003 to be assured of consideration.

**ADDRESSES:** Direct requests for additional information to Angela Beckman, Export-Import Bank of the U.S., 811 Vermont Avenue, NW., Washington, DC 20571, (202) 565-3418. Direct comments to David Rostker, Office of Management and Budget, Office of Information and Regulatory Affairs, NEOB Room 10202, Washington, DC 20503, (202) 395-3897.

**SUPPLEMENTARY INFORMATION:**

*Titles and Form Numbers:*  
Application for Medium-Term  
Insurance or Guarantee EIB Form 03-02.

*OMB Number:* New.

*Type of Review:* New collection.

*Need and Use:* The information requested enables the applicant to provide Ex-Im Bank with the information necessary to obtain legislatively required assurance of

repayment and fulfills other statutory requirements. The form encompasses medium-term financial guarantees and insurance policies.

*Affected Public:* It affects all entities involved in the export of U.S. goods and services, including exporters, banks, insurance brokers and non-profit or state and local governments acting as facilitators.

*Estimated Annual Respondents:* 989.

*Estimated Time Per Respondent:* 1 hour.

*Estimated Annual Burden:* 989.

*Frequency of Reporting or Use:*  
Applications submitted one time.

Dated: October 17, 2003.

**Solomon Bush,**

*Agency Clearance Officer.*

**BILLING CODE 6690-01-M**



**Export-Import Bank  
of the United States**

**APPLICATION  
FOR MEDIUM-TERM  
INSURANCE OR GUARANTEE**

This application is to be used for insurance and guarantee transactions with financed amounts of \$10 million or less (excluding financed premium) and repayment terms between eighteen months and seven years. Applications for other Ex-Im Bank products can be found on Ex-Im Bank's web site under the "Apply" section.

Additional information on how to apply for Ex-Im Bank Medium-Term Insurance or Guarantees can be found at Ex-Im Bank's web site [http://www.exim.gov/tools/how\\_to\\_apply.html](http://www.exim.gov/tools/how_to_apply.html).

Send this application to Ex-Im Bank, 811 Vermont Avenue, NW, Washington, D.C. 20571. Ex-Im Bank will also accept e-mailed PDF and faxed applications. Ex-Im Bank will not require the originals of these applications to be mailed. Please note the applications must be PDF scans of original applications and all required application attachments. (Fax number 202.565.3380, e-mail [exim.applications@exim.gov](mailto:exim.applications@exim.gov).)

## APPLICATION FORM

### 1. FINANCING TYPE REQUESTED

- A. Product** ☐ Insurance  
☐ Guarantee

**B Conversion of a preliminary commitment or a Letter of Interest**

- ☐ No ☐ Yes. The Ex-Im Bank reference number is: \_\_\_\_\_

- C. Resubmission** ☐ Check if this is a resubmission of an application that was previously deemed incomplete or was withdrawn for other reasons. The Ex-Im Bank reference number is: \_\_\_\_\_

- D. Renewal** ☐ CGF (Credit Guarantee Facility)  
☐ MTR (Medium-term Repetitive Insurance Policy)

### 2. PARTICIPANTS:

**Applicant**

|                                                                                                                                                                                        |                       |                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------------------|
| Applicant name: _____                                                                                                                                                                  |                       | Duns #: _____              |
| Contact person: _____                                                                                                                                                                  |                       | Phone #: _____             |
| Position title: _____                                                                                                                                                                  |                       | Fax #: _____               |
| Street address: _____                                                                                                                                                                  |                       | E-mail: _____              |
| City: _____                                                                                                                                                                            | State/Province: _____ | Nine-digit zip code: _____ |
| Country: _____                                                                                                                                                                         |                       | Taxpayer ID #: _____       |
| Number of employees: _____                                                                                                                                                             |                       |                            |
| Applicant's role in the transaction: <input type="checkbox"/> exporter <input type="checkbox"/> buyer/ borrower <input type="checkbox"/> lender                                        |                       |                            |
| Primary contact point for Ex-Im Bank inquiries on this transaction: <input type="checkbox"/> exporter <input type="checkbox"/> broker (insurance only) <input type="checkbox"/> lender |                       |                            |
| This application is a <input type="checkbox"/> supplier credit or a <input type="checkbox"/> buyer credit.                                                                             |                       |                            |

**Broker (Insurance Only)**

If none, insert "none."

Ex-Im Bank Broker #:

Name of Broker:

Phone #:

Contact person:

Fax #:

E-Mail:

**Exporter.** The exporter is the U.S. entity that contracts with the buyer for the sale of the U.S. goods and services.

- ☐ Check if the exporter is the applicant. Otherwise, complete the information below for each exporter, including ancillary service providers.

Exporter name:

Duns #:

Contact person:

Phone #:

Position title:

Fax #:

Street address:

E-mail:

City:

State/Province:

Nine digit zip code:

Taxpayer ID #:

Number of employees:

**Supplier.** The supplier is the U.S. company that manufactures the goods and/or performs the services to be exported.

- ☐ Check if the supplier is also the exporter. Otherwise, complete the information below for each supplier, including ancillary service providers.

Supplier name:

Duns #:

Contact person:

Phone #:

Position title:

Fax #:

Street address:

E-mail:

City:

State/Province:

Nine digit zip code:

Taxpayer ID #:

Number of employees:

**Borrower.** The borrower is the entity that agrees to repay the loan.

- ☐ Check if the borrower is the applicant. If not, complete the information below.

Borrower name:

Duns #:

Contact person:

Phone #:

Position title:

Fax #:

Street address:

E-mail:

City:

State/Province:

Postal code:

Taxpayer ID #:

**Guarantor.** The guarantor is the person or entity that agrees to repay the credit if the borrower does not. Refer to the medium-term credit standards (at <http://www.exim.gov/tools/medium-termcreditsstandards.doc>) to determine in what situations personal or corporate guarantors are required for medium term transactions. Complete the information below for each guarantor if a guarantor is offered or required.

|                 |                 |              |
|-----------------|-----------------|--------------|
| Guarantor name: | Duns #:         |              |
| Contact person: | Phone #:        |              |
| Position title: | Fax #:          |              |
| Street address: | E-mail:         |              |
| City:           | State/Province: | Postal code: |

**Buyer.** The buyer is the entity that contracts with the exporter for the purchase of the U.S. goods and services. Check if the buyer is also the ☐ borrower or ☐ guarantor. Otherwise, complete the information below.

|                 |                 |              |
|-----------------|-----------------|--------------|
| Buyer name:     | Duns #:         |              |
| Contact person: | Phone #:        |              |
| Position title: | Fax #:          |              |
| Street address: | E-mail:         |              |
| City:           | State/Province: | Postal code: |
| Country:        |                 |              |

**End-user.** The end-user is the foreign entity that uses the U.S. goods and services. Check if end-user is also the ☐ borrower or ☐ guarantor or ☐ buyer. Otherwise, complete the information below.

|                 |                 |              |
|-----------------|-----------------|--------------|
| End-user name:  | Duns #:         |              |
| Contact person: | Phone #:        |              |
| Position title: | Fax #:          |              |
| Street address: | E-mail:         |              |
| City:           | State/Province: | Postal code: |
| Country:        |                 |              |

**Lender.** The lender is the company that extends the Ex-Im Bank guaranteed or insured loan to the Borrower. Check if the lender is the ☐ applicant. Otherwise, complete the information below.

|                 |                 |                        |
|-----------------|-----------------|------------------------|
| Lender name:    | Duns #:         | MGA# (Guarantees only) |
| Contact person: |                 | Phone #:               |
| Position title: |                 | Fax #:                 |
| Street address: |                 | E-mail:                |
| City:           | State/Province: | Nine digit zip code:   |
| Country:        |                 |                        |

**3. DETAILS OF COVERAGE REQUESTED**

- A. Coverage Type** ☐ Comprehensive Risk  
☐ Political Risk Only

**B. Special Features Requested**

Check the boxes for the coverage that apply to the transaction. View the fact sheets describing the coverage on Ex-Im Bank's web site as noted below. Complete and attach the requested forms.

|                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                 |                                                                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Pre-shipment cover<br><i>Attachment II - Pre-shipment Questionnaire required</i>                                                                                                                                             | <input type="checkbox"/> Used Equipment<br><i>Attachment E required</i><br><a href="http://www.exim.gov/products/policies/used equip.html">http://www.exim.gov/products/policies/used equip.html</a>            | <input type="checkbox"/> Co-Financing with Foreign Export Credit Agency<br><i>Attachment H required</i><br><a href="http://www.exim.gov/pub/txt/95-10aph.doc">http://www.exim.gov/pub/txt/95-10aph.doc</a> |
| <input type="checkbox"/> Local Cost Support<br><a href="http://www.exim.gov/products/policies/local_cost.html">http://www.exim.gov/products/policies/local_cost.html</a>                                                                              | <input type="checkbox"/> Foreign Currency Guarantee (specify currency) _____<br><a href="http://www.exim.gov/products/guarantee/foreign_curr.html">http://www.exim.gov/products/guarantee/foreign_curr.html</a> | <input type="checkbox"/> Environmental Exports Program<br><a href="http://www.exim.gov/products/special/environment.html">http://www.exim.gov/products/special/environment.html</a>                        |
| <input type="checkbox"/> Ancillary Service Fees<br><a href="http://www.exim.gov/products/ebd-m-13.html">http://www.exim.gov/products/ebd-m-13.html</a>                                                                                                | <input type="checkbox"/> Credit Guarantee Facility<br><a href="http://www.exim.gov/products/credit_guar.html">http://www.exim.gov/products/credit_guar.html</a>                                                 | <input type="checkbox"/> Military/ Security/ Police<br><a href="http://www.exim.gov/products/policies/military.html">http://www.exim.gov/products/policies/military.html</a>                               |
| <input type="checkbox"/> Nuclear<br><a href="http://www.exim.gov/products/policies/nuclear/envnucp.html">http://www.exim.gov/products/policies/nuclear/envnucp.html</a><br>In addition Nuclear-screening document must be submitted with application. | <input type="checkbox"/> Finance Lease Structure<br><a href="http://www.exim.gov/products/insurance/leasing.html">http://www.exim.gov/products/insurance/leasing.html</a>                                       | <input type="checkbox"/> Other _____                                                                                                                                                                       |

**4. TRANSACTION DESCRIPTION**

- a) Ex-Im Bank requests that each exporter fill out and attach a Content Report detailing the goods and services being exported. The content report is located at [www.exim.gov/pub/txt/ebd-m-58.doc](http://www.exim.gov/pub/txt/ebd-m-58.doc). If the content report(s) are not being submitted at this time, fill out the following:

Describe the goods and services to be exported. Include a section for each exporter including the name, make, model, manufacturer/supplier, SIC or NAICS Code (if known), number of units, unit price and use for the goods:

---



---

- b) Describe the purpose of the transaction. Include answers to the following: Will the goods be used to create or expand production capacity for an exportable product? Are the goods and services destined for an identifiable project? If so, provide information on the total estimated project costs in US dollars. Also provide information as to other sources of financing for the project including working capital.

---



---

- c) Indicate whether an application for support of this export contract or a related project has been filed with the Agency for International Development, Maritime Administration, Overseas Private Investment Corporation, Trade Development Agency or a multilateral financing agency. If so include a brief description of the additional support.

## 5. REQUESTED FINANCING AMOUNTS AND STRUCTURE

Ex-Im Bank support is based on the value of the eligible goods and services in the exporter's supply contract(s) or purchase order(s). The total level of support will be the lesser of: 85% of the value of all eligible goods and services; or 100% of the U.S. content included in all eligible goods and services in the exporters' supply contracts. In addition, Ex-Im Bank may also finance certain local costs, ancillary services as approved, and the exposure fee/premium. Fill out the chart below to determine estimated eligible amounts.

|          |                                                              | Definition                                                                                                                                                                                                                                                     | US\$ |
|----------|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| <b>A</b> | Supply Contracts or Purchase Orders                          | The aggregate price of all goods and services in all the supply contract(s) or purchase order(s), including local costs, ancillary services, and excluded goods and services. Break out ancillary services in A ii.                                            | Ai   |
|          |                                                              |                                                                                                                                                                                                                                                                | Aii  |
| <b>B</b> | Excluded Goods and Services                                  | The aggregate price of all goods and services that are not eligible for or are excluded from Ex-Im Bank support (e.g. goods not shipped from the U.S. and excluded ancillary services). Local costs should not be included in this line.                       |      |
| <b>C</b> | Total Local Costs                                            | The aggregate price of all goods manufactured in the end-user's country and all services provided by residents of the purchaser's country. Ex-Im Bank may be able to finance these amounts up to 15% of D below.                                               |      |
| <b>D</b> | Net Contract Price                                           | A minus B minus C                                                                                                                                                                                                                                              |      |
| <b>E</b> | Eligible Foreign content                                     | The aggregate cost of any goods produced or manufactured outside the U.S, or services provided by third country personnel or foreign freight costs and foreign insurance included in the net contract price (line D), (e.g. foreign items shipped from the US) |      |
| <b>F</b> | U.S. Content                                                 | D minus E                                                                                                                                                                                                                                                      |      |
| <b>G</b> | Cash Payment                                                 | This amount must be the greater of E or 15% of D                                                                                                                                                                                                               |      |
| <b>H</b> | Local Cost Financing Requested                               | This can be no more than 15% of D                                                                                                                                                                                                                              |      |
| <b>I</b> | <b>Financed Amount Requested</b><br>(Excluding Exposure Fee) | D minus G plus H                                                                                                                                                                                                                                               |      |

**A. Exposure Fee (Guarantees)/ Premium (Insurance).** Check one box.

- ☐ Ex-Im Bank to finance the fee/premium, which will be paid as the credit is drawn down.
- ☐ Ex-Im Bank to finance the fee/premium, which will be paid up front.
- ☐ Ex-Im Bank will not finance the fee/premium, and it will be paid as the credit is drawn down.
- ☐ Ex-Im Bank will not finance the fee/premium, and it will be paid up front.

**B. Transaction Structure.**

i. **Principal Repayment Term.** (years) \_\_\_\_\_. Unless otherwise requested, equal installments of principal will be repaid semi-annually beginning six months after the starting point.

ii **Starting Point.** The starting point is generally the event that marks the fulfillment of the exporter's contractual responsibility. See Ex-Im Bank's fact sheets on starting points and reach-back policies at [www.exim.gov](http://www.exim.gov).

(Check one box.)

- |                                                              |                                                                          |
|--------------------------------------------------------------|--------------------------------------------------------------------------|
| <input type="checkbox"/> Shipment (single shipment)          | <input type="checkbox"/> Services Completion.                            |
| <input type="checkbox"/> Final Shipment (multiple shipments) | <input type="checkbox"/> Completion of Installation. Specify date: _____ |
| <input type="checkbox"/> Mean Shipment (multiple shipments)  | <input type="checkbox"/> Project Completion. Specify date: _____         |

iii **Shipment Period.** Shipments will be completed and/or services will be performed from:

[ \_\_\_\_\_ ] (month/year) to [ \_\_\_\_\_ ] (month/year) excluding any acceptance, retention, or warranty period. If shipment is planned for a certain number of days after Ex-Im Bank authorization, so note:

iv. **Promissory Notes**

For transactions with multiple shipments indicate:

- ☐ There will be one promissory note per shipment.
- ☐ Disbursements will be consolidated into one promissory note.

v. **Interest rate**

The interest rate to be charged on the guaranteed/insured loan is: \_\_\_\_\_

**6. REASON FOR REQUESTING EX-IM BANK SUPPORT.**

Ex-Im Bank will finance the export of U.S. goods and services if it can be demonstrated that Ex-Im Bank support is necessary for the transaction to proceed. Check one of the boxes below describing why support is necessary.

- ☐ The exporter is aware that foreign companies are competing, or are expected to compete for the sale. Provide company name, country, and (if known/applicable) the supporting export credit agency.

- ☐ The exporter is aware that foreign companies manufacture comparable goods and services that are sold in the buyer's market with export credit agency support available. Provide company name, country, and (if known/applicable) the supporting export credit agency.

- ☐ There is limited availability of private financing (from either external or domestic sources). Indicate how financing is constrained by checking the appropriate box.
- ☐ No availability of economically viable interest rates on terms over one to two years.
- ☐ Financial institution lending capacity limits reached for either borrower and/or country.
- ☐ Other (please describe). \_\_\_\_\_

## 7. CREDIT INFORMATION

- ☐ The information requested in *Attachment I: Credit Information* is attached.

## 8. OTHER INFORMATION AND CERTIFICATIONS

### A. General Information - Provide the following:

- ☐ Credit Agency report(s) on the exporter(s). If exporter has a credit rating of BBB or better, this is not required.
- ☐ Annex A to the Master Guarantee Agreement (Guarantees only)  
at <http://www.exim.gov/pub/pdf/mt-anx-exec.pdf>.
- ☐ Lender's mandate letter (required when applicant is a financial institution).

### B. Supply Contracts Between the Exporter and Buyer.

- ☐ Sales contract(s), pro forma invoice(s), or purchase order(s) are attached.
- ☐ This is a request for a repetitive sales insurance policy (MTR) or a credit guarantee facility (CGF) and no contract is attached.

### C. Commitment Fee Agreement. (Guarantees Only)

For a guarantee, a commitment fee accrues starting 60 days after the authorization of a final commitment and is payable semiannually in arrears on a schedule determined at the time of authorization. The commitment fee is 1/8 of 1% per annum on the un-disbursed and un-cancelled balance of the guaranteed loan. Choose one of the options below regarding the payment of the commitment fee:

- ☐ The applicant is the borrower, and by signing the application, is irrevocably committing to pay the commitment fee.
- ☐ The applicant is the guaranteed lender, and is (check one):
- ☐ signing the application which irrevocably commits it to pay the fee, or
- ☐ signing the application and enclosing with it an Ex-Im Bank standard form fee letter from the borrower (at <http://www.exim.gov/pub/pdf/mt-anx-exec.pdf>). This letter irrevocably commits the borrower to pay the fee.
- ☐ The applicant is the exporter, and is signing the application and enclosing with it an Ex-Im Bank standard form fee letter from the ☐ borrower or ☐ guaranteed lender (at <http://www.exim.gov/pub/pdf/mt-anx-exec.pdf>). This letter irrevocably commits the borrower or guaranteed lender to pay the fee.

### D. Anti-Lobbying Disclosure Form

Please refer to the Anti-Lobbying Declaration/Disclosure forms (at <http://www.exim.gov/pub/pdf/95-10apd.pdf>) and include a signed copy of the appropriate form(s) with your application.

### E. Certifications

The undersigned certifies that the facts stated and the representations made in this application and any attachments to this application are true, to the best of the applicant's knowledge and belief after due diligence, that the applicant has not omitted any material facts. The undersigned certifies that neither it, nor its principals, have within the past three years been a) debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in, a covered transaction, b) formally proposed for debarment, with a final determination still pending,

c) indicted, convicted or had a civil judgment rendered against it for any of the offenses listed in the Regulations, d) delinquent on any substantial debts owed to the U.S. Government or its agencies or instrumentalities as of the date of execution of this application; or e) the undersigned has received a written statement of exception from Ex-Im Bank attached to this certification, permitting participation in this Covered Transaction despite an inability to make certifications a) through d) in this paragraph. We further certify that we have not and will not knowingly enter into any agreements in connection with the Goods and Services with any individual or entity that has been debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a Covered Transaction. All capitalized terms not defined herein shall have the meanings set forth in the Government-wide Non-procurement Suspension and Debarment Regulations - Common Rule (Regulations).

In addition, we further certify that we have not, and will not, engage in any activity in connection with this transaction that is a violation of a) the Foreign Corrupt Practices Act of 1977, 15 U.S.C. 78dd-1, et seq. (which provides for civil and criminal penalties against individuals who directly or indirectly make or facilitate corrupt payments to foreign officials to obtain or keep business), b) the Arms Export Control Act, 22 U.S.C. 2751 et seq., c) the International Emergency Economic Powers Act, 50 U.S.C. 1701 et seq., or d) the Export Administration Act of 1979, 50 U.S.C. 2401 et seq.; nor have we been found by a court of the United States to be in violation of any of these statutes within the preceding 12 months, and to the best of our knowledge, the performance by the parties to this transaction of their respective obligations does not violate any other applicable law.

The applicant certifies that the representations made and the facts stated in this application and its attachments are true, to the best of its knowledge and belief, and it has not misrepresented or omitted any material facts. It further understands that these certifications are subject to the penalties for fraud against the U.S. Government (18 USC 1001, et. seq.).

## 8. NOTICES

The applicant is hereby notified that information requested by this application is done so under authority of the Export-Import Bank Act of 1945, as amended (12 USC 635 et. seq.); provision of this information is mandatory and failure to provide the requested information may result in Ex-Im Bank being unable to determine eligibility for support. The information provided will be reviewed to determine the participants' ability to perform and pay under the transaction referenced in this application. Ex-Im Bank may not require the information and applicants are not required to provide information requested in this application unless a currently valid OMB control number is displayed on this form (see upper right of each page).

Public Burden Statement: Reporting for this collection of information is estimated to average 1 hour per response, including reviewing instructions, searching data sources, gathering information, completing, and reviewing the application. Send comments regarding the burden estimate, including suggestions for reducing it, to Office of Management and Budget, Paperwork Reduction Project OMB# 3048-0009, Washington, D.C. 20503.

The information provided will be held confidential subject to the Freedom of Information Act (5 USC 552) the Privacy Act of 1974 (5 USC 552a), and the Right to Financial Privacy Act of 1978 (12 USC 3401), except as otherwise required by law. Note that the Right to Financial Privacy Act of 1978 provides that Ex-Im Bank may transfer financial records included in an application for a loan or loan guarantee, or concerning a previously approved loan or loan guarantee, to another Government authority as necessary to process, service or foreclose on a loan or loan guarantee, or collect on a defaulted loan or loan guarantee.

Applicant (company) name: .....

Name and title of authorized officer: .....

Signature of authorized officer: .....

Date: .....

## APPLICATION FOR MEDIUM-TERM INSURANCE OR GUARANTEE

### Attachment I: Credit Information Requirements

Directions: Please check each box to indicate information submitted. For information not applicable to the transaction write N/A in the box. All boxes should either be checked or marked N/A. Parts 1 and 2 indicate information required to process a Medium-term Insurance or Guarantee transaction. Part 3 provides a list of items that are optional. Sending information contained in this section may expedite the processing of your application.

#### 1. INFORMATION ON THE BORROWER:

- ☐ If the primary source of repayment for the transaction is a corporate guarantor provide only 1a), 1b) and 1 c) on the borrower;
- ☐ If current information (within the last six months) as described below is on file at Ex-Im Bank, indicate Guarantee or Policy # \_\_\_\_\_.
- ☐ If the primary source of repayment is the borrower provide the information noted in 1 a) – 1 g) below (note optional information described in part 3):
  - a) **Company description and ownership.**
    - ☐ Provide a concise description of the company origin, legal status, facilities, business activities and primary markets.
    - ☐ Provide the name of each owner of at least 10% of company shares and his/her ownership percent.
  - b) **Related party information**
    - ☐ Provide names and a brief description of subsidiaries, parent company, and/or commonly owned companies (“related parties”).
    - ☐ Indicate which, if any, of the related parties account for more than 25% of the borrower’s sales or purchases during the last fiscal year.
    - ☐ Indicate which, if any, related parties extend loans to the borrower or to whom the borrower extends loans, if loans are material to the borrower. Materiality is defined as 10% of the borrower’s total assets.
    - ☐ Provide details of guarantees given on behalf of related parties by the borrower, if loans are material to the borrower.
  - c) **Credit agency report**
    - ☐ Provide a credit agency report on the borrower not older than six months from date of application, or
    - ☐ Check if credit agency report is not applicable because the borrower is a financial institution (bank), or a foreign government agency.
  - d) **Creditor Bank or Supplier References**
    - ☐ Provide a creditor bank reference prepared within six months of the application date. Report should include bank name, address, and length of relationship, amount, currency, and terms of secured and unsecured credit and repayment experience.
    - ☐ If the borrower does not have any financial institution creditors, provide two supplier references. Supplier references should be dated within six months of the application and include years of credit experience, annual sales, the terms of sale, the amount of the last sale, the recent high credit, the amount currently outstanding, details on any past due amounts, and repayment experience.

**e) Financial Statements**

There are certain requirements for all financial statements, regardless of the amount of the transaction. These are as follows:

- i) ☐ Provide financial statements for the previous three fiscal years, as well as interim statements if the latest fiscal year end statements are dated more than nine months from the date of application. When interim statements are provided, also provide interim statements for the same interim period for the previous year (for comparative purposes).
- ii) ☐ A summary of significant accounting principles must accompany all financial statements. These should outline, at a minimum, the depreciation methods and rates, valuation methods for inventory, fixed assets and investments and the inflation accounting method used, if any. For construction companies, a description of the revenue recognition method should be included. Additionally, financial statements should break out depreciation expense, gross interest expense, tax expense and current maturities of long-term financial institution or supplier debt, if any.
- iii) ☐ For all financial statements that present combined or consolidated results, provide the percentage of total assets, total liabilities, tangible net worth, sales, and net income represented by each entity that is participating in the transaction as the buyer, borrower, guarantor or end-user. A combining/consolidating worksheet would have all this information.

There are certain additional financial statement information requirements that depend on the amount of the financing request as follows:

- iv) ☐ For financed amounts of up to and including \$1 million: Audited financial statements are preferred but not required for non-financial institutions. Audited statements are required for financial institutions. While English language statements are preferred, Ex-Im Bank will accept Spanish language financial statements.
- v) ☐ For financed amounts of greater than \$1 million up to and including \$5 million: While English language statements are preferred, Ex-Im Bank will accept Spanish language financial statements. Financial statements must be audited by an external independent auditor.
- vi) ☐ For financed amounts of greater than \$ 5 million: Financial statements must be audited by an external independent auditor. Statements must be in English.

**f) Market indications, if available, are as follows:**

Name of rating agency: \_\_\_\_\_ Rating: \_\_\_\_\_ Date: \_\_\_\_\_

Include the debt rating reports issued by the rating agency, and if applicable, the prospectus for a debt or equity offering during the two years prior to the application date.

**g) Supplemental Credit Questions.**

- ☐ Provide the answers to the questions listed in Attachment C to the Medium-term Credit Standards for transactions of greater than U.S. \$5 million up to and including \$10 million where the primary source of repayment is a non-financial institution that does not have market indications. These questions are located on Ex-Im Bank's web site at [www.exim.gov/tools/medium-termcreditstandards](http://www.exim.gov/tools/medium-termcreditstandards).

**2. INFORMATION ON THE CORPORATE GUARANTOR (S):**

- ☐ Not applicable. Refer to the Medium-Term Credit Standards at (<http://www.exim.gov/tools/medium-termcreditstandards.doc>) to determine in what situations corporate guarantors are required for medium term transactions.
- ☐ If the corporate guarantor is not the primary source of repayment, provide 1 a), and 1 b) and 1 c) as described above.
- ☐ If the corporate guarantor is the primary source of repayment, provide the information noted in 1 a) – 1 g)

**3. OPTIONAL items which the applicant may attach. These may expedite the processing of your application.**

- ☐ Financial spreads on the borrower and/or guarantor designated as the primary source of repayment. See Ex-Im Bank's website for spreading conventions, which should be used as guidelines.
- ☐ Calculation of the financial performance criteria of Ex-Im Bank's Medium-Term Credit Standards on the borrower or guarantor designated as the primary source of repayment.
- ☐ Mitigating factors for any of the performance criteria that are not met.
- ☐ Supplemental credit questions as detailed in I g) for deals of less than \$5 million.
- ☐ Translations of Spanish language financial statements, if applicable.
- ☐ Explanations of any adverse information contained in the credit report, references and/or financial statements, including interims.

---

## **APPLICATION FOR MEDIUM-TERM INSURANCE OR GUARANTEE**

### **Attachment II: Pre-shipment Questionnaire**

Complete this form only if you are requesting pre-shipment insurance coverage for your transaction. Details on pre-shipment coverage can be found at <http://www.exim.gov/pub/ins/pdf/eib01-04.pdf>.

Details of Coverage Requested:

- a) Provide the reason pre-shipment coverage is being requested: .....
- b) Indicate the date the contract was executed or the anticipated date of signing: .....
- c) Indicate the estimated period between the contract date and the final shipment date of items: .....
- d) Provide a schedule of any progress payments made or to be made by the borrower during the pre-shipment period, or indicate none: .....

---

**APPLICATION FOR MEDIUM-TERM  
INSURANCE OR GUARANTEE**

Attachment III: Leasing Questionnaire (Under Development)