

FORM ITA-4133P

OMB No. 625-0220

Expires 9/30/01

SAMPLE ADVOCACY QUESTIONNAIRE

United States Government advocacy decisions are made on the basis of the best information available. To assist us in responding effectively to your company's request for advocacy, please submit this questionnaire, including the information requested on the following page and other relevant materials to your USG contact or to the Advocacy Center, U.S. Department of Commerce, Room 3814A, Washington, D.C. 20230, Phone: (202) 482-3896, Fax: (202) 482-3508. Please also complete the attached "Agreement Concerning Bribery and Corporate Policy Prohibiting Bribery".

This questionnaire should be completed by the bidder for the project, except in special circumstances. Subcontractors or suppliers should not complete these forms. If you are awarded a project for which USG advocacy has been provided, the Advocacy Center may follow-up to assess the effectiveness of our assistance and the benefits to the U.S. economy. Companies are responsible for informing the Advocacy Center of any material changes in the information provided.

Freedom of Information Act: Information submitted to the government may be subject to disclosure pursuant to the Freedom of Information Act. However, All confidential commercial information is protected from disclosure to the extent permitted by law. You will be notified if any such information submitted by you is responsive to a Freedom of Information Act request.

Name and Location of the Project: **Telecom Expansion project -- Chile (Santiago)**

Name of Company: **Smarrtt Communications Inc.**

Place of Incorporation: **Atlanta, GA**

Ownership - Identify any parent companies: **General Corporation**

Size (annual sales; number of employees): **Annual sales- \$80 million; Number of employees- 200**

Address: **Peachtree St. Atlanta, GA 12345**

Contact and Title: **Jane Doe, Director of Marketing**

Contact Telephone: **(222) 222-2222 Fax: (222) 222-2221**

Certification

The undersigned, being so authorized, certifies on behalf of the Company that, to the best of his/her knowledge, the information provided herewith is complete and accurate, and that the Company is in compliance with applicable U.S. law including the Foreign Corrupt Practices Act.

Signed Jane Doe 4/1/99
Signature of Authorized Company Official Date

Jane Doe Director of Marketing
Name of Authorized Company Official (Please Print) Title of Authorized Company Official (Please Print)

Submit this Questionnaire and related information to your USG contact or to the Advocacy Center, U.S. Department of Commerce, Room 3814A, Washington, D.C. 20230, Phone: (202) 482-3896, Fax: (202) 482-3508. The Questionnaire

is also available at our website: <http://www.ita.doc.gov/advocacy/question.html>. If the information is submitted electronically, this signature page and the Agreement Concerning Bribery and Corporate Policy Prohibiting Bribery, must also be provided by mail or fax. Please respond in detail. Include additional sheets of paper if necessary.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Reports Clearance Officer, International Trade Administration, Room 4001, U.S. Department of Commerce, Washington, D.C. 20230 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0625-0125), Washington, D.C. 20503 March 1999

Please respond in detail. Include additional sheets of paper if necessary.

A. TRANSACTION/PROJECT:

1. Description of the project: **The Ministry of Communications has released a tender for the procurement and installation of telecommunications equipment.**
2. Total Value of the project (including domestic and foreign partners in the consortium):
\$10 Million
3. U.S. Export content (please list value of goods and services separately) : **Goods: \$7 Million
Services: \$1 Million**
 - a. U.S. export content to be provided by your company: **\$6 Million**
 - b. U.S. export content to be provided by other company (ies): **\$1 Million in software from MBI**
4. Status, stage of project, bid process and expected decision date: **Ministry of Communication will award the project in two weeks time. The Ministry of Communications has recently concluded its ranking of the bidders. The Ministry is currently ranking bids according to price. Three other companies submitted bids, Telecom 1 (France), Telecom 2 (Germany), and Telecom 3 (Japan). We believe that our company has been ranked number two in technology - behind Telecom 2.**
5. Name and title of decision maker (s): **Minister of Telecommunications, Juan Santiago**
6. Are you bidding in a partnership or consortium with other companies? If yes:
 - a. Ownership/ structure/ control of the consortium (provide percentages where applicable):
We have signed a teaming agreement with MBI - they will be supplying the software for this project.
 - b. Name, address, phone number, contact name and title, of the company's partners and/ or consortium members: **MBI's VP of Sales is Mike Hargroo - 505 48th St., Simi Valley, CA 25934 Phone: 222-856-2385 Fax: 222-971-5693**
 - c. Anticipated role of each partner and/or member of the consortium: **MBI will just be supplying the software - In addition, they have offered to provide us financing if needed.**
 - d. Additional information regarding partners and/or consortium members, or officers or shareholders of partners and/or consortium members, of which the USG should be aware:
MBI is a wholly owned subsidiary of a UK firm called Computell.

7. How will this project affect the environment? **This project will have no effect on Chile's environment.**

B. REQUEST FOR ADVOCACY:

1. Type of assistance requested: **Letter from the U.S. Ambassador (in Chile) to the Minister of Communications in support of our company. In addition, I understand that the Deputy Minister of Communications will be in Washington next week. I request that if USG officials meet with her, that our project be raised.**
2. Reason for requested assistance: **We have learned from our in-country representative that the French and Japanese governments' representatives have met with the Minister of Communications and strongly supported their home teams.**
3. Please highlight the competitiveness of your bid in terms of technology and price: **Smarrtt Communications offers advanced cellular technology. We have deployed similar systems in 5 countries in Africa.**
4. Has your company, partner (s) or any member of your consortium requested or received advocacy or assistance by a foreign government in connection with this project? No
If yes, please explain: **MBI approached the British Embassy, and the British Ambassador sent a letter on behalf of our bid.**
5. a. How does your company plan to finance this project? **EXIM Bank**
b. Has your company or a member of your consortium applied for financing/support from any public finance institution (e.g., EXIM, OPIC, and including any foreign export financing agencies)? If yes, please provide status - **Yes - Smarrtt Communications has received a Letter of Intent from EXIM Bank to finance this project. FYI - we have received EXIM financing on past projects.**

C. COMPETITORS:

1. Please identify all known competitors and their nationalities for the project, including all foreign and domestic companies: **Telecom 1 (France), Telecom 2 (Germany), and Telecom 3 (Japan)**
2. To your knowledge, have any of your competitors sought or received government advocacy in connection with this project? **Telecom 2 and Telecom 3 have received advocacy from their respective governments. I understand that the German Minister of Commerce raised this tender when he was in Chile in March with his trade delegation.**

D. EXPECTED EFFECTS ON U.S. ECONOMY:

1. What are the expected direct and indirect effects on U.S. jobs, including effects on small and medium sized enterprises which may benefit from this contract? **Smarrtt Communications will be manufacturing all of the equipment at its site in Atlanta, GA. MBI, an SME located in CA will be producing the software for this project. This project will**

support 50 jobs during the life of the project at Smarrtt Comm. site in Atlanta. In addition, 15 employees at MBI will be working on this project. Total of 65 jobs during the life of the project.

2. From what state (s) will this contract be sourced? **Georgia and California**

AGREEMENT CONCERNING BRIBERY AND CORPORATE POLICY PROHIBITING BRIBERY

Agreement:

..... **Smarrtt Communications Inc.** ("the Company") has requested advocacy assistance for the ____ **Telecom Expansion** project in **Chile** (country). In connection with this request, the Company agrees that it and its affiliates:

(1) have not and will not engage in the bribery of foreign officials in connection with the above matter; and

(2) maintain and enforce a policy that prohibits the bribery of foreign officials.

The Company understands that failure to comply with the terms of this Agreement may result in the denial of advocacy assistance.

Definitions:

For purposes of this Agreement:

The term "*affiliates*" means (a) any company that holds, directly or indirectly, a majority of the voting stock of the Company; and (b) any other company, the majority ownership of whose voting stock is held, directly or indirectly, by a company described in (a).

The term "*bribery of foreign public officials*" has the meaning of the term "*bribery of foreign public officials*" in the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. In addition, for companies that are subject to the Foreign Corrupt Practices Act of 1977 (FCPA), the term "*bribery of foreign officials*" refers to foreign trade practices prohibited by the FCPA (see 15 U.S.C. 78dd-1, 78dd-2, and 78dd-3).

Smarrtt Communications Inc.

[Name of the Company]

by: Signed Jane Doe
[Signature]

date: **4/1/99**

Director of Marketing
[Title]