

## 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 pages) and other relevant materials to your USG contact or to the Advocacy Center ("AC"), 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 as determined by the AC. Subcontractors or suppliers should not complete this form unless requested by the AC. 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 promptly informing the AC 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 will be 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: \_\_\_\_\_

Name of Company: \_\_\_\_\_

Place of Incorporation: \_\_\_\_\_

Ownership (Identify Any Parent Companies): \_\_\_\_\_

Annual sales (\$): \_\_\_\_\_

No. U.S. employees & No. employees outside the U.S.: \_\_\_\_\_

Address: \_\_\_\_\_

Contact and Title: \_\_\_\_\_

Contact Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

### 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.

\_\_\_\_\_  
Signature of Authorized Company Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed Name of Authorized Company Official

\_\_\_\_\_  
Typed Title of Authorized Company Official

**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.**

**A. PROJECT/TRANSACTION:**

**1. Description of the foreign project/transaction:**

**2. Total value of the project/transaction (e.g., the estimated contract value specified in U.S. dollars). Identify separately value(s) to be provided by domestic and/or foreign partners in a consortium, if applicable:**

**3. Value of goods manufactured in—and/or services provided from—the United States (please specify value(s) in U.S. dollars and list goods and services separately):**

**a. U.S. export content to be provided by your company (please specify value(s) in U.S. dollars and list goods and services separately):**

**b. U.S. export content to be provided by other company(ies) (please specify value(s) in U.S. dollars and list goods and services separately):**

**4. Value of goods and services provided from abroad (please specify value(s) in U.S. dollars and list goods and services separately):**

**5. Status of project/transaction or current stage of bid process, and expected interim and final decision date(s):**

**6. Name and title of foreign government decision-maker(s):**

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_

**7. Are you bidding in a partnership or a consortium with other companies? If yes:**

**a. Ownership/structure/control of consortium (provide percentages where applicable):**

**b. Name, nationality, address, telephone number, contact name and title of the company's partners and/or consortium members:**

**c. Name and nationality of the "Bidder of Record":**

**d. Anticipated role of each partner and/or member of the consortium:**

**e. Additional information on partners and/or consortium members, or officers or shareholders of partners and/or consortium members, of which the USG should be aware:**

**8. How will this project/transaction affect the environment?**

**9. Will any items or technology to be exported in connection with this project/transaction require U.S. government export licenses (e.g., a Department of State license or a Department of Commerce license)? If yes, status of application(s)?**

**B. REQUEST FOR ADVOCACY:**

**1. Type of assistance requested:**

**2. Reason for requested assistance:**

**3. Please highlight the competitiveness of your bid in terms of technology and price:**

**4. Has your company, partner(s), or any member of your consortium requested or received advocacy or any other assistance from a foreign government in connection with this project/transaction? If yes, please explain.**

**a. How does your company plan to finance this project/transaction?**

- b. Has your company—or any member of your consortium—applied for financing/support from any public export finance institution (e.g. EXIM, OPIC, and including any foreign export financing agencies)? If yes, provide status of application and, if not to date, indicate whether you plan to seek such financing/support in future.**

**C. COMPETITORS:**

- 1. Please identify all known competitors for this project/transaction and their nationalities, including all U.S. and foreign companies/enterprises.**
  
- 2. To your knowledge, have any of the competitors listed above sought or received foreign government advocacy in connection with this project/transaction? If yes, please explain and identify the source and type of advocacy.**

**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 result if this project/transaction is awarded to USG advocacy petitioner?**
  
- 2. From what State(s) will exports be sourced should this project/transaction be awarded to the USG advocacy petitioner?**
  
- 3. Please identify any other foreseeable material benefits to the U.S. economy expected to derive from the USG advocacy petitioner's bid or from its role in the project/transaction.**

## AGREEMENT CONCERNING BRIBERY AND CORPORATE POLICY PROHIBITING BRIBERY

### Agreement:

\_\_\_\_\_ (“the Company”) has requested advocacy assistance for the \_\_\_\_\_ project/transaction in \_\_\_\_\_. 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 public officials in connection with the above matter; and

(2) maintain and enforce a policy that prohibits the bribery of foreign public 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 “*Affiliate*” 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 the Company or 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 public officials*” refers to practices prohibited by the FCPA (see 15 U.S.C. §§ 78dd1, 78dd2, and 78dd-3).

\_\_\_\_\_  
[Name of the Company]

by: \_\_\_\_\_  
[Signature]

Date: \_\_\_\_\_

\_\_\_\_\_  
[Type/Print Name]

\_\_\_\_\_  
[Title]