

## EXPORT-IMPORT BANK OF THE UNITED STATES

### APPLICATION FOR SPECIAL BUYER CREDIT LIMIT (SBCL) UNDER MULTI-BUYER EXPORT CREDIT INSURANCE POLICIES

(Please Print or Type)

App. No. \_\_\_\_\_  
(Ex-Im Bank Use Only)

1. Insured/Exporter Name:		2. Broker (If none, state "None")	
Policy No:	State:	Brokerage:	Broker No:
Attn:	Tel No:	Attn:	Tel. No:
Fax No:	E-Mail:	Fax No:	E-Mail:

3. Reason for Application on this Buyer:

- Policy carries no Discretionary Credit Limit (DCL)
  Amount requested exceeds DCL  
 Country Limitation Schedule restricts your DCL in this market
  Other \_\_\_\_\_  
 Renewal/Increase/Amendment of existing SBCL-Existing Final Shipment Date

4. Buyer Name and Address: \_\_\_\_\_ File No. \_\_\_\_\_  
(Ex-Im Bank Use Only)

5. Guarantor Name and Address (If any): \_\_\_\_\_ File No. \_\_\_\_\_  
(Ex-Im Bank Use Only)

6. (a) Products  New  Used (if used, attach Used Equipment Questionnaire EIB92-63).

(b) Products Description \_\_\_\_\_

(c) Is each product produced or manufactured in the United States?  Yes  No

(d) Has at least one-half of the value, exclusive of price mark-up, been added by labor or material exclusively of United States origin?  
 Yes  No

(e) Are products listed on the United States Munitions List? (part 121 of Title 22 of the Code of Federal Regulations)  Yes  No

7. (a) Exporter and/or manufacturer name and address if other than insured: \_\_\_\_\_

8. (a) Credit Limit requested \$ \_\_\_\_\_

(b) Payment terms requested \_\_\_\_\_

9. (a) Summary of credit experience with this buyer during current year and past two years, including uninsured experience:

Total sales each year	\$ _____	\$ _____	\$ _____
Highest amount outstanding at any time during the period	\$ _____	\$ _____	\$ _____
Payment terms			

(b) Describe buyer's payment history (check one)

- No prior experience
  Prompt/Discount
  1-30 days slow
  31-60 days slow
  more than 60 days slow

(c) Amount now owing \$ \_\_\_\_\_, as of \_\_\_\_\_ (Date).

(d) Amount now past due (indicate maturity dates and explanation). \$ \_\_\_\_\_

(e) If past dues are due to foreign exchange problem does insured have evidence of local currency deposit on all payments due?  
 Yes  No  Not Applicable

(f) If buyer is new account, indicate whether negotiating sales or \$ value of orders already received \$ \_\_\_\_\_

10. Describe any direct or indirect ownership interest or family relationship which exists between the insured and the buyer (or guarantor) or between the supplier and the buyer (or guarantor). If none, state "None".

**11. CREDIT AND FINANCIAL INFORMATION REQUIREMENTS \* for Credit Limit Applications of:**

**Up to \$50,000:** Credit Agency Report, **or** Trade Reference

**\$50,001 to \$100,000:** Credit Agency Report **and** Trade Reference

**\$100,001 to \$300,000:** Credit Agency Report **and** 2 Trade References

The Buyer's audited or signed unaudited financial statements for the last 2 fiscal years may be substituted for the trade references.

**\$300,001 to \$1million:** Credit Agency Report **and** 2 Trade References **and** the Buyer's audited or signed unaudited financial statements for the last 2 fiscal years with notes.

**over \$1 million:** Credit Agency Report **and** 2 Trade References **and** a Bank Reference **and** the Buyer's audited or signed unaudited financial statements for the last 3 fiscal years with notes.

\* The applicant's credit experience with the Buyer as completed in Question 9 may be substituted for a Trade Reference. If fiscal year end statements are dated more than 9 months from the date of the application, the Buyer's interim statements must be submitted. All references and credit reports must be dated within **6 months** of the application and show prompt credit experience for similar amounts and similar terms as described in Ex-Im Bank's Short Term Credit Standards for Buyers.

If the Buyer has a Market Rating you may submit the rating and date in place of the Credit and Financial Information. If a Financial Institution (Bank) is the Buyer or a Guarantor or if a letter of credit is used no Credit and Financial Information is necessary.

**NOTE: See Short Term Credit Standards (EIB99-09) for Buyers to determine the likelihood of approval.**

**12. CERTIFICATION OF PRODUCT USE AND REPRESENTATIONS:**

a) The applicant certifies that neither it, nor its Principals, have within the past 3 years been i) debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a Covered Transaction, ii) formally proposed for debarment, with a final determination still pending, iii) indicted, convicted or had a civil judgement rendered against it for any of the offenses listed in the Regulations, iv) 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 v) 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 i) through iv) in this paragraph.

The applicant further certifies that it has not and will not knowingly enter into any agreements in connection with the products and services to be exported in the transaction described herein, with any individual or entity that has been debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a Covered Transaction. The term "Covered Transaction" shall have the meaning set forth in the Ex-Im Bank Debarment and Suspension Regulations at 12 C.F.R. Part 413 (Regulations). The applicant is not listed on any of the publicly available debarment lists of the following international financial institutions: World Bank Group, African Development Bank, Asian Development Bank, European Bank for Reconstruction and Development and the Inter-American Development Bank.

In addition, the applicant certifies that neither the applicant nor anyone acting on its behalf, such as agents, has engaged, or will engage, in any activity in connection with this transaction that is a violation of the Foreign Corrupt Practices Act of 1977, 15 U.S.C. 78dd-1 et seq. (which provides for civil and criminal penalties against companies and individuals who directly or indirectly make or facilitate corrupt payments to foreign officials to obtain or keep business). Further, the applicant has not engaged, and will not engage, in any activity in connection with this transaction that is a violation of the Arms Export Control Act, 22 U.S.C. 2751 et seq., the International Emergency Economic Powers Act, 50 U.S.C. 1701 et seq., or the Export Administration Act of 1979, 50 U.S.C. 2401 et seq. The applicant has not 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 its knowledge, the performance by the parties to this transaction of their respective obligations does not violate any other applicable law.

The applicant certifies that neither the applicant nor anyone acting on its behalf in connection with this transaction is currently under charge or has been, within the past 5 years, convicted in any court or subject to national administrative measures of any country for bribery of foreign public officials.

b) The applicant hereby certifies to the Export-Import Bank of the United States that, to the best of its knowledge and belief, the products\* and services to be exported in the transaction described herein are principally for use as indicated below. (When a sale is made to entities such as distributors primarily for resale, the principal user is considered to be the original purchaser (the distributor), and part A should be checked. If, however, the applicant has knowledge or reason to believe that the products will be re-exported from the original buyer's country, please check part B.)

A  By the buyer in the country specified above.

B  If not, name country where product will be principally used  
\_\_\_\_\_ and by whom\_\_\_\_\_.

\* NOTE: The Borrower, Guarantor, Buyer and End User must be foreign entities in countries for which Ex-Im is able to provide support, see Ex-Im's Country Limitation Schedule (CLS) at [www.exim.gov](http://www.exim.gov). There may not be trade measures against them under Section 201 of the Trade Act of 1974, see <http://dockets.usitc.gov/eol/public/> click on 201. There may not be trade sanctions in force against them. For a list of products and countries with Anti-Dumping or Countervailing Duty sanctions see <http://205.197.120.60/oinv/sunset.nsf/AllDocID/96DAF5A6C0C5290985256A0A004DEE7D>.

c) The applicant certifies that the representations made and the facts stated by it in the application for the special buyer credit limit **are true, to the best of its knowledge and belief, and that it has not omitted any material facts.** The applicant agrees that the representations and facts shall form the basis of the credit limit if issued and that the truth of such representations and facts contained herein shall be a condition precedent to any liability of Ex-Im thereunder. The applicant understands that this certification is subject to the **penalties for fraud** provided in Article 18, United States Code, Section 1001.

By

Signature of Insured/Exporter Print Name and Title Date

Name of Umbrella Policy (EUS-)Administrator or EBS/EBM Policyholder (if any)

Note: Please answer all questions and sign application. Applications not completely filled out or not submitted with required financial and credit information will be withdrawn.

**Send, or ask your insurance broker, administrator, bank policyholder or city/state participant to review and send, this application to Ex-Im Bank, 811 Vermont Avenue, NW, Washington, D.C. 20571 or an Ex-Im Regional Office. The Ex-Im Bank website is <<http://www.exim.gov>>**

## **Certifications for Applications – Generic – for all applications.**

**The Applicant** (hereafter “Applicant” or “it”) **CERTIFIES, ACKNOWLEDGES and COVENANTS to the Export-Import Bank of the United States** (hereafter “Ex-Im Bank”) that to the best of Applicant’s knowledge and belief, after due diligence, the statements set forth below are true and correct. Any reference below to “this transaction” shall refer to either the individual transaction or the Ex-Im Bank program or Insurance Policy that is the subject of the application, as appropriate.

A. Neither Applicant, nor any of its Principals (as defined in the Debarment Regulations identified below), has, within the past 3 years, been:

- 1) debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a Covered Transaction (as defined in the Ex-Im Bank and Government-wide debarment regulations, found at 2 CFR Part 3513 and 2 CFR Part 180, respectively) (collectively the “Debarment Regulations”);
- 2) formally proposed for debarment from participating in a Covered Transaction, with a final determination still pending;
- 3) indicted, convicted or had a civil judgment rendered against it for any conduct or offenses described at 2 CFR § 180.800 in the Debarment Regulations;
- 4) delinquent on any amounts due and owing to the U.S. Government or its agencies or instrumentalities as of the date of execution of this certification; or
- 5) listed on any of the publically available debarment lists of the following international financial institutions: the World Bank Group; the African Development Bank; the Asian Development Bank; the European Bank for Reconstruction and Development, and the Inter-American Development Bank;

or

the Applicant has received a written statement of exception from Ex-Im Bank attached to this certification, permitting acceptance of this application notwithstanding an inability to make all of the certifications in clauses 1) through 5) of this section A.

B. Applicant has conducted and will conduct reasonable due diligence in connection with this transaction, including checking the **Excluded Parties List System** (<http://www.epls.gov/epls/search.do>) (“EPLS”) and the **Specially Designated Nationals (“SDN”) List** of the **Department of the Treasury, Office of Foreign Assets Control (“OFAC”)** (<http://www.ustreas.gov/offices/enforcement/ofac/sdn/>). Applicant will not knowingly enter into any sales, leasing or financing agreements in connection with this transaction with any individual or entity that is listed on the EPLS or the SDN List (or is otherwise prohibited from conducting business with U.S. public and private entities pursuant to OFAC Regulations).

C. Either: (1) To the best of Applicant’s knowledge and belief, **no funds have been paid or will be paid** to any person in connection with this application for influencing or attempting to influence:

- (a) an officer or employee of any U.S. Government agency, or
- (b) a Member of Congress or a Member’s employee, or
- (c) an officer or employee of Congress;

*(This does not apply to commissions paid by the Bank to insurance brokers.)*

or

(2) Applicant will complete and submit **Form-LLL** (the Anti-Lobbying Declaration/Disclosure forms

available at <http://www.exim.gov/pub/pdf/95-10apd.pdf>).

D. Neither Applicant nor any agent or representative acting on Applicant's behalf, has or will engage in any activity in connection with this transaction that is a violation of 1) the **Foreign Corrupt Practices Act of 1977**, 15 U.S.C. § 78dd-1, et seq.; 2) the **Arms Export Control Act**, 22 U.S.C. § 2751 et seq., 3) the **International Emergency Economic Powers Act**, 50 U.S.C. § 1701 et seq., 4) the **Export Administration Act of 1979**, 50 U.S.C. § 2401 et seq., and, 5) the regulations issued by the **OFAC**. Applicant also certifies that neither Applicant nor any agent or representative acting on Applicant's behalf, has been found by a court of the United States to be in violation of any of the foregoing statutes or regulations within the preceding 12 months, and to the best of its knowledge, the performance by the parties to this transaction of their respective obligations does not violate any of the foregoing or any other applicable law.

E. Neither the Applicant nor any agent or representative acting on Applicant's behalf in connection with this transaction is currently under charge or has been, within the past 5 years, convicted in any court of any country, or subject to national administrative measures of any country, for bribery of public officials.

F. The representations made and the facts stated in this application and its attachments **are true and Applicant has not misrepresented or omitted any material facts**. Applicant further covenants that if any statement(s) set forth in this application becomes untrue, or is discovered to have been untrue when made, Applicant will promptly inform Ex-Im Bank of such change. Applicant further understands that in accepting or approving this application, Ex-Im Bank is relying upon Applicant's statements set forth in the application and on the foregoing certifications, and all statements and certifications to Ex-Im Bank are subject to the penalties for false or misleading statements to the U.S. Government (18 USC § 1001, et. seq.).

### **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. If any of the information provided in this application changes in any material way or if any of the certifications made herein become untrue, the applicant must promptly inform Ex-Im Bank of such changes. 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). Ex-Im Bank reserves the right to decline to process or to discontinue processing of an application.

**Paperwork Reduction Act Statement:** We estimate that it will take you about 1 hours to complete this form. This includes the time it will take to read the instructions, gather the necessary facts and fill out the form. However, you are not required to provide information requested unless a valid OMB control number is displayed on the form. If you have comments or suggestions regarding the above estimate or ways to simplify this form, forward correspondence to Ex-Im Bank and the Office of Management and Budget, Paperwork Reduction Project, OMB # 3048-0015 Washington, D.C. 20503.