



**NEW MARKETS VENTURE CAPITAL PROGRAM  
OFFICE OF INVESTMENT  
U. S. SMALL BUSINESS ADMINISTRATION  
409 Third Street, S.W. Washington, DC 20416 Tel: (202) 205-6510**

**INSTRUCTIONS  
APPLICATION FOR SBA COMMITMENT OF LEVERAGE**

**INTRODUCTION**

These instructions provide the information necessary for a Conditionally Approved New Markets Venture Capital Company ("NMVCC") ("you" or "your") to obtain SBA's commitment to reserve financial assistance on its behalf for the future issuance of Debentures and execute a participation agreement with SBA governing its participation in the NMVC program if finally approved as an NMVCC.

**SUBMISSION DEADLINE**

You must properly complete and execute the required forms and documents referenced below and submit them to SBA by a date specified by SBA but no later than your designated closing date, in connection with SBA's process of considering you for final approval as an NMVCC.

Submit such forms and documents to the Office of NMVC, Investment Division, Suite 6300, Small Business Administration, 409 Third Street, S.W., Washington, D.C. 20416.

**REQUIRED FORMS**

The following is a list of forms you are required to submit in order to obtain SBA's commitment of Leverage to you, and instructions applicable to each form.

- (1) Certificate of Authorization by NMVCC of Application for SBA Commitment of Leverage (SBA Form 2206 A, B or C)

SBA requires you to submit a certificate documenting that your organization properly authorizes your application for a leverage commitment, execution of a participation agreement with SBA, and the selling by SBA or its agent of the Debentures you will issue pursuant to SBA's leverage commitment and your participation agreement. The following forms offer three different sample Certificates of Authorization:

- SBA Form 2206 A – for limited partnership NMVCCs with a corporate general partner.
- SBA Form 2206 B – for limited partnership NMVCCs with an individual general partner.
- SBA Form 2206 C – for limited liability company NMVCCs.

- (2) Disclosure of Third Party Debt

You must submit a statement describing all of your outstanding non-SBA debt. The description must include the identities of the lenders and contact information, amounts, terms, conditions, security (if any), and priority of all such debt. Your authorized representative must sign and date the statement.

(3) Compensation Agreement (SBA Form 159)

Each agent that provided services to your organization in connection with your application for designation as an NMVCC (see 13 C.F.R. Part 103 for more information) must complete this form, disclosing the amount of fees received for such services and the types of services provided. Your authorized representative also must sign each SBA Form 159. Compensation paid to an agent in excess of \$1,000 must be itemized as described in the instructions to SBA Form 159.

(4) Statement Regarding Lobbying (SBA Form 1846)

All recipients of a commitment from SBA of Leverage must complete this form. On this form, you state that if you have paid any person to influence an SBA employee, member of Congress, employee of Congress, or employee of a member of Congress in connection with SBA's commitment of Leverage, you will disclose such activities to SBA on a standard form for such purpose.

(5) Applicant's Assurance of Compliance (SBA Form 652)

All recipients of financial assistance from SBA must complete this form. On this form, you certify that you will comply with parts 112, 113 and 117 of SBA's regulations in Title 13 of the Code of Federal Regulations ("SBA's regulations"), and that you agree to require your contractors also to execute this certification. Among other things, the cited regulations prohibit discrimination against employees and customers and require modification of business facilities to make them accessible to handicapped customers.

(6) NMVCC's Assurance of Compliance (Public Interest) (SBA Form 2205)

SBA requires you to submit this certificate, which documents that you understand and covenant that you will comply with the provisions in section 108.720(f) of SBA's regulations. Those provisions prohibit the use of SBA-guaranteed leverage proceeds for any purpose contrary to the public interest.

(7) Bank Identification Form (SBA Form 34)

You must submit this form to identify the bank to which you want the proceeds of your SBA-guaranteed leverage to be deposited by wire transfer. You will receive such funds by wire transfer only. The Bank Identification Form (SBA Form 34) refers to "SBIC" and "Licensee." When completing the form for the NMVC program, read such terms as "NMVCC" instead.

**Please note:** The estimated burden for completing the "Disclosure of Third Party Debt" referred to in these instructions, is 6 minutes. (Burden statements for SBA Forms referred to in these instructions that require such statement are found on those forms themselves.) You are not required to respond to any collection of information unless it displays a currently valid OMB approval number. The information collected is required in order for you to receive SBA financial assistance. SBA will keep the information confidential to the extent permitted by law. Comments on the burden should be sent to U.S. Small Business Administration, Chief, AIB, 409 3rd Street, S.W., Washington, D.C. 20416, and Desk Officer for the Small Business Administration, Office of Management and Budget, New Executive Office Building, Room 10202, Washington, D.C. 20503. OMB Approval 3245-0332.