

Export-Import Bank of the United States (Ex-Im Bank) COMMISSIONED BROKER APPLICATION FORM

Subject to compliance with the terms and conditions of this Application and the attached Standards of Professional Conduct and Service, an insurance broker may become registered with Ex-Im Bank and eligible for commission payments under Ex-Im Bank export credit insurance policies if the broker is appointed as broker-of-record by the policyholder either by designation on an insurance policy application or by separate letter. The commission payments shall be based on Ex-Im Bank's "Broker Commission Schedule" in effect at the time of shipment in the brokered transaction.

Name of Brokerage: _____
Contact: _____ Title: _____
Address: _____ PO Box: _____
City: _____ State: _____ Zip: _____
Phone: (____) _____ Fax: (____) _____ Email: _____
Tax ID#: _____ DUNS #: _____ No. of Employees: _____
Other lines of brokered Insurance: _____

Do you have other offices you wish to register (to be eligible for commissions)? _____ No _____ Yes

If "Yes", please list firm's name, address, telephone number, fax number and contact person on a separate sheet. A list of registered insurance brokers is available on Ex-Im Bank's website and unbrokered applicants are referred to the list.

Please indicate here if you DO NOT wish to have your name released.

APPLICATION REQUIREMENTS AND INSTRUCTIONS

- 1) Sign and return the attached "Standards of Professional Conduct and Service".
- 2) Attach a copy of a current, valid State insurance brokerage license indicating issuance and/or expiry date(s).
- 3) Attach evidence of current professional liability insurance coverage.
- 4) Sign and return the attached "Authorization for Automated Deposits" form.
- 5) Submit a description of your business operations, which should include at a minimum: (i) relevant background and history of your company; (ii) description of your expertise in export credit insurance products; (iii) your plan to promote Ex-Im Bank programs to U.S. exporters; and (iv) a list of names of all individuals licensed to broker insurance and the States in which they are licensed.

CERTIFICATIONS AND NOTICES

The Broker (it) **CERTIFIES and/or ACKNOWLEDGES** to Ex-Im Bank the following:

1. **Debarment, Suspension and Delinquency.** (a) Neither it nor its principals has been within the past 3 years (i) debarred, suspended or declared ineligible from participating in or voluntarily excluded from participation in a "Covered Transaction" defined in the Government wide Debarment and Suspension (Nonprocurement) regulations and the Export-Import Bank of the United States Debarment and Suspension (Nonprocurement) regulations.; (ii) formally proposed for debarment, with a final determination still pending; (iii) or indicted, convicted or had a civil judgment rendered against it for any of the offenses listed in the Government wide Debarment and Suspension (Nonprocurement) regulations; and
 - b) Neither it nor its principals is delinquent on any amounts due and owing to the U.S. Government, its agencies or instrumentalities as of the date of this application; and
 - c) In connection with a transaction, it has not and will not knowingly enter into any agreements or affiliations with any individual or entity to whom items (a) or (b) above apply; or
 - d) It has received a written statement of exception from Ex-Im Bank and attached it to this certification, permitting participation in the transaction despite an inability to make certifications (a)(i)-(iii), (b) and (c).

2. **Lobbying.** It will complete and submit SF Form-LLL, Disclosure Form to Report Lobbying if, to the best of its knowledge and belief, any funds have been paid or will be paid to any person for influencing or attempting to influence, in connection with this application: (a) any officer or employee of any U.S. Government agency; or (b) any Member of Congress or a Member's employee; or (c) any officer or employee of Congress.
3. **Corrupt Practices.** Corrupt payments made in connection with Bank supported transactions may be a violation of the Foreign Corrupt Practices Act of 1977 (15 USC 78dd-l, et. seq.) or other applicable law or regulation 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.
4. **Notice of Authority to Request Information.** The broker is hereby notified that the information being requested is done so under authority of the Export-Import Bank Act of 1945 (12 USC 635 et seq.) and other applicable laws and regulations. Provision of this information is mandatory and failure to provide the requested information may result in Ex-Im Bank being unable to determine eligibility to be a registered broker for Ex-Im Bank's Insurance Program. The information provided will be reviewed to determine if the broker meets Ex-Bank's requirements under the program. Ex-Im Bank may not require the information requested, and applicants are not required to respond, unless a currently valid OMB control number is displayed on this form (see upper right of each page).
5. **Confidentiality and Disclosure Notice.** The information provided will be held confidential subject to the requirements of the Freedom of Information Act (5 USC 552 et seq.), the Privacy Act of 1974 (5 USC 552a et seq.), and other applicable laws. Ex-Im Bank shall have a right to transfer to another U.S. Government authority any financial records included in this certification or other correspondence as necessary to process, service, foreclose or collect on an insured debt or for any other lawful purpose.
6. **Public Burden Statement.** We estimate that it will take you about 2 hours per response including reviewing instructions, searching data sources, gathering information, completing, and reviewing the application. However, you are not required to provide information requested unless a valid OMB control number is displayed on the form. Please send comments regarding the burden estimate, including suggestions for reducing it to: Export Import Bank, Broker Relations, 811 Vermont Ave., N. W. Washington, D.C. 20571 and Office of Management and Budget, Paperwork Reduction Project, OMB # 3048-0024, 725 17th Street, N.W., Washington, D.C. 20503.
7. **Standards of Professional Conduct and Service.** The broker must sign the Standards of Professional Conduct and Service in connection with this Application and every three years thereafter. Ex-Im Bank reserves the right to withdraw or rescind a broker's registration with Ex-Im Bank: (i) immediately for cause; or (ii) at any time, without cause, upon 30 days prior written notice. "Cause" includes the breach of any applicable Standard of Professional Conduct and Service and may also include other conduct such as, in Ex-Im Bank's sole determination, an excessive claims history associated with transactions brokered by such broker, or a reasonable belief that the broker was involved in fraudulent or wrongful activity, or that the broker knew or should have known that a specific transaction was tainted by fraud. Removal from the list of registered brokers will result in the cancellation of eligibility to receive commission payments from Ex-Im Bank.
8. **False Claims.** The representations made by the broker and the facts stated by it in these certifications 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.).

Signature: _____ Print Name: _____
Title: _____ Date: _____

**Send this application to Attn: Broker Relations, 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>**

**EX-IM BANK INSURANCE BROKERS
STANDARDS OF PROFESSIONAL CONDUCT AND SERVICE**

At all times while registered as a broker with Ex-Im Bank, the broker (“you”) shall:

1. Act in a professional, reasonable, prudent and forthright manner and at all times with the utmost good faith and integrity, in all dealings with your client and Ex-Im Bank;
2. Make certain that your clients and third parties understand that you are neither an employee of Ex-Im Bank nor an official representative of Ex-Im Bank;
3. Stay knowledgeable about not only Ex-Im Bank export credit insurance but also alternatives, including other Ex-Im Bank programs, other U.S. government programs, and private sector products as well, in order to provide the best options to your clients;
4. Educate yourself, agents, employees and your clients about Ex-Im Bank’s insurance program and policies, including their benefits and proper usage;
5. Serve as your clients’ primary contact for any questions concerning Ex-Im Bank policies and procedures and the servicing of an Ex-Im Bank insurance policy;
6. Review all applications, issued policies, renewals of policies and credit limits, and claims, for timeliness, completeness, accuracy and reasonableness;
7. Review correspondence from Ex-Im Bank with your clients, including quotes and credit limits, to assist them in understanding the coverage and their responsibilities;
8. Seek from clients information about their circumstances and objectives as might reasonably be expected to be relevant in enabling the broker to fulfill its responsibilities to them;
9. Assist your clients to comply with the requirements of Ex-Im Bank insurance policies, including shipment reports, premium payment and reports of overdue accounts, reporting policy cancellations, submission of premium reconciliation reports, notifications of defaults and filing claims;
10. Maintain knowledge of and comply with all applicable laws, rules, and regulations of any government agency, or regulatory organization governing your professional, financial, or business activities;
11. Promptly disclose to Ex-Im Bank, any termination of, or changes or suspensions related to, the insurance brokerage license submitted in connection with this Application.
12. Disclose to clients any material conflict of interest that could reasonable be expected to impair the broker’s ability to make an unbiased and objective decision when making recommendations or taking actions;
13. Organize and control the internal affairs of its insurance brokering business in a responsible manner, and where staff are employed ensure that they are competent, suitable, and under adequate day-to-day supervision by a registered insurance broker;
14. Take reasonable steps to give customers sufficient information in a comprehensible and timely way to enable them to make balanced and informed decisions about Ex-Im Bank’s export credit insurance policies; and
15. Prior to authorization, disclose to Ex-Im Bank any fees or commissions received (or contemplated) related to, or any other economic interest held in, the underlying transaction for which the broker is receiving Ex-Im Bank commissions.

The undersigned hereby agrees to comply with the above Standards of Professional Conduct and Service and acknowledges that the foregoing obligations are independent and separate from the obligations of the insured set forth in any Ex-Im Bank export credit insurance policy.

Name of Brokerage: _____ Signature of Broker: _____
Print Name: _____ Date: _____

**AUTHORIZATION FOR AUTOMATED DEPOSITS
(ACH CREDITS)**

I hereby authorize the Export-Import Bank of the United States hereinafter called Ex-Im Bank, to initiate credit entries to my ___ **CHECKING** ___ **SAVINGS account** (*check one*) indicated below and the depository named below, hereinafter called DEPOSITORY, to credit the same to such account.

DEPOSITORY NAME _____

BRANCH _____

City _____ State _____ Zip _____

TRANSIT/ABA NUMBER: ___ - ___ - ___ - ___

Account Number: _____

This authority is to remain in full force and effect until Ex-Im Bank has received written notification from me of its termination in such time and in such manner as to afford Ex-Im Bank a reasonable opportunity to act on it.

BROKER NAME _____

BROKER NO. _____

SIGNATURE: _____ DATE: _____

PLEASE ATTACH A VOIDED CHECK FOR THE ACCOUNT NAMED ABOVE

FOR EX-IM BANK USE ONLY

DATE RECEIVED

PROCESSED BY

Return to: Export-Import Bank of the United States

Director - Broker Relations

811 Vermont Avenue, N.W.

Washington, DC 20571

Export-Import Bank of the United States

BROKER COMMISSION SCHEDULE FOR EXPORT CREDIT INSURANCE POLICIES

BROKER ELIGIBILITY

Insurance brokers and agents are eligible for commission payments under Ex-Im Bank export credit insurance policies if the broker or agent is registered with Ex-Im Bank and is appointed as broker-of-record by the policyholder. The policyholder reserves the right to appoint, delete or change the broker of record at any time. Brokers of record are entitled to any commissions due on premiums paid prior to a change in the broker of record in accordance with the procedures set forth below.

COMMISSION RATES

Commission rates paid by Ex-Im Bank are based on the type of policyholder to which the policy is issued, as shown in the chart below:

Type of Policyholder Commission Rate (percentage of premium)

Financial Institutions 8%

Exporters

Multi-Buyer Policyholders: Ex-Im Bank Small Business* 40%

Multi-Buyer Policyholders: All others 15%

Short Term Single-Buyer Policyholders: SBA Small Business 15%

Short Term Single-Buyer Policyholders: All others 10%

Medium Term Single-Buyer: 10%

* Ex-Im Bank Small Business is defined as an exporter that meets applicable SBA small business criteria and that averages annual export credit sales of \$7.5 million or less over the past three years.

COMMISSION PAYMENTS

- The full amount of all premiums are due at the appropriate lockbox on or before the date specified in the policy.
- Insurance brokers should not remit premiums "net" of commission.
- Commission payments will be made monthly.
- No commission payments will be made on advance premium.

BROKER CHANGES ON EXISTING POLICIES

Ex-Im Bank policyholders may appoint or change their insurance broker at any time. Insurance brokers appointed after a policy is issued will be recognized on the first day of the next month after the receipt of the policyholder's written notice appointing an insurance broker of record. Acknowledgment by Ex-Im Bank of a policyholder's appointed insurance broker is made by means of a policy endorsement. Insurance brokers acknowledged by Ex-Im Bank are eligible for commissions with respect to transactions occurring after the effective date of the endorsement.

Who To Contact: For additional information, please contact Mr. Thomas Cummings, Director, Broker Relations at 212-809-2652 or Thomas.Cummings@exim.gov, 290 Broadway Floor 13, New York, NY 10007 Or: an Ex-Im Bank Regional Office: EASTERN REGION: Miami 305.526.7436, Atlanta 404.815.1497, New York 212.809.2650; CENTRAL REGION: Chicago 312.353.8081, Detroit 313.309.4158, Minneapolis 612.348.1213, Dallas 214.551.4959, Houston 281.721.0465; WESTERN REGION: Irvine 949.660.1341, San Diego 858.467.7035, San Francisco 415.705.2285, Seattle 206.728.2264

General Inquiries: TEL. 202.565.EXIM (3946) OR 1.800.565.EXIM (3946); FAX 202.565.3723; www.exim.gov; info@exim.gov