



# APPLICATION FOR ISSUING BANK CREDIT LIMIT (IBCL) UNDER LETTER OF CREDIT INSURANCE POLICIES

App. Number

(Ex-Im Bank Use Only)

1 Applicant  Policy Number  2 Broker

State  (If none, state "None")

Attn.:  Tel #:  Attn.:  Tel #:

Fax #.:  Email:  Fax #.:  Email:

3. Issuing Bank (Legal name, address, city, country):

4. Is this application a resubmission of a previously submitted application?  YES  NO

5. Coverage option:  Comprehensive  Political only

6. Details of letters of credit (L/Cs) you wish to insure:

a. L/C Amount \$

b. L/C number (if available)

c. L/C transaction type (check):  Usance Letter of Credit - or -  Refinanced Letter of Credit

d. L/C tenor (enter):  Actual # of Days - or -  Sight (check)

e. Expiry date of L/C:

f. Importer Name:  City  Country

Items marked with an asterisk (\*) are required fields. Under corporate ownership, provide name of ultimate parent company, if there is a corporate owner. For number of employees and sales volume, aggregate for the company and all its affiliates<sup>2</sup>, including corporate owners and subsidiaries.

g. \*Exporter Legal Name: \_\_\_\_\_

Tradestyle: \_\_\_\_\_

\*Street Address: \_\_\_\_\_

\*City: \_\_\_\_\_ \*State: \_\_\_\_\_ \*Zip + 4: \_\_\_\_\_

Country: \_\_\_\_\_

\*Corporate Ownership: \_\_\_\_\_ \*Primary Industry NAICS<sup>1</sup>: \_\_\_\_\_

\*Does the Exporter have any affiliates<sup>2</sup>?  Yes  No

\*Total Number of Employees: \_\_\_\_\_ \*Annual Sales Volume: \_\_\_\_\_

\*Minority-owned business:  Yes  No  Decline to Answer

\*Women-owned business:  Yes  No  Decline to Answer

\*Veteran-owned business:  Yes  No  Decline to Answer

Contact Person: \_\_\_\_\_

Position Title: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

<sup>1</sup>A company's Primary Industry NAICS codes is the NAICS that accounts for the largest share of sales for the most recently completed fiscal year. The full definition of "primary industry" is set forth at 13 C.F.R. § 121.107.

<sup>2</sup>Affiliations exist when one individual or entity controls or has the power to control another or when a third party or parties control or have the power to control both. Factors such as common ownership, common management, previous relationships with or ties to another entity, and contractual relationships may cause affiliation. The complete definition of affiliation is found at 13 C.F.R. § 121.103.

h. Beneficiary Name: \_\_\_\_\_ City \_\_\_\_\_ Country \_\_\_\_\_

i. L/C Payment currency: \_\_\_\_\_

j. L/C Payment country: Country \_\_\_\_\_ Country \_\_\_\_\_

**7. Products\*:**

a. (describe products)

b. Are the products on the Munitions Control List?  YES  NO

c. Are the products capital goods sold to foreign manufacturers or producers?  YES  NO

d. If you answered "Yes" in 7c:

(i) Provide details of product use

(ii) Will the products be used to produce exportable goods?  YES  NO

\* 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 \(CLS\)](http://www.exim.gov) at [www.exim.gov](http://www.exim.gov). 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 [www.usitc.gov/trade\\_remedy/731\\_ad\\_701\\_cvd/investigations/antidump\\_countervailing/index.htm](http://www.usitc.gov/trade_remedy/731_ad_701_cvd/investigations/antidump_countervailing/index.htm). There may not be trade measures against them under Section 201 of the Trade Act of 1974, see [www.usitc.gov/trade\\_remedy/731\\_ad\\_701\\_cvd/investigations/completed/index.htm#safeguard](http://www.usitc.gov/trade_remedy/731_ad_701_cvd/investigations/completed/index.htm#safeguard) click on 201.

8. What effective date do you require for the IBCL?

9. Applicant's experience with the issuing bank:

a. Do you extend insured or uninsured credit facilities to the L/C issuing bank?  YES  NO

b. If "Yes," provide details on the type, size, and usage of credit facilities extended to the L/C issuing bank:

c. If "Yes," does the L/C issuing bank consistently meet its credit obligations in accordance with the agreed terms?

YES  NO

10. Is the L/C issuing bank an affiliate of the applicant as defined in the policy?  YES  NO

If "Yes," please describe the relationship:

11. The following credit information on the L/C issuing bank may be required. Ex-Im Bank will notify you if any of these items are required to process the application. At your option, you may attach copies of any of these items or others that you wish to submit with the application.

**A.** Audited fiscal year-end financials statements for the past two (2) years, including notes. Interim financial statements may also be required if the most recent fiscal year-end statements are more than 9 months old.

**B.** A bank reference dated within 6 months of the application from a correspondent bank. The reference should indicate if credit lines are secured and the type of credit facilities offered.

**C.** Background information on the L/C issuing bank, including a description of the bank's operation and structure and a list of the shareholders who directly or indirectly own 10% or more of the bank, with their corresponding ownership percentages.

**D.** Rating Agencies' reports on the L/C issuing bank.

## CERTIFICATIONS AND NOTICES

**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 **System for Award Management** (<https://www.sam.gov/portal/public/SAM/>) ("**SAM**") to determine if parties are excluded from U.S. Government transactions, 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 SAM or the SDN List (or is otherwise prohibited from conducting business with U.S. public and private entities pursuant to OFAC Regulations).
- C.** If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," (<http://www.exim.gov/pub/ins/pdf/lll.pdf>) in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- 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 hour(s) 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# 3048-0023 Washington, D.C. 20503.