

Supporting Statement for Paperwork Reduction Act Submissions EIB 15-04 Exporter's Certificate For Co-Financed Loan, Guarantee & MT Insurance Programs

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain information specified in Section A below. If an item is not applicable, provide a brief explanation. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Export Import Bank of the United States (Ex-Im Bank) pursuant to the Export Import Bank Act of 1945, as amended (12 USC 635, et seq), facilitates the finance of export of U.S. goods and services. By neutralizing the effect of export credit insurance and guarantees offered by foreign governments and by absorbing credit risks that the private sector will not accept, Ex-Im Bank enables U.S. exporters to compete fairly in foreign markets on the basis of price and product. This collection of information is necessary, pursuant to 12 USC Sec. 635 (a) (1), to determine eligibility of the export for Ex-Im Bank assistance.

Ex-Im Bank's borrowers, financial institution policy holders and guaranteed lenders provide this form to U.S. exporters, who certify to the eligibility of their exports for Ex-Im Bank support. For direct loans and loan guarantees, the completed form is required to be submitted at time of disbursement and held by either the guaranteed lender or Ex-Im Bank. For MT insurance, the completed forms are held by the financial institution, only to be submitted to Ex-Im Bank in the event of a claim filing.

Ex-Im Bank uses the referenced form to obtain exporter certifications regarding the export transaction, content sourcing, and their eligibility to participate in USG programs with respect to co-financed transactions. These details are necessary to determine the value and legitimacy of Ex-Im Bank financing support and claims submitted. It also provides the financial institutions a check on the export transaction's eligibility at the time it is fulfilling a financing request.

2. Indicate how, by whom and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Ex-Im Bank staff reviews this information to assist in determining that a specific export sale is eligible for guarantee cover.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

This form is provided on our website as a fillable form. Under the loan and guarantee programs the form is submitted to Ex-Im Bank for review with each disbursement request. However, for Insurance, policy holders maintain possession of these forms and only submit them to Ex-Im Bank if it submits a claim on the transaction. A PDF or other electronic format of this form can be used to submit it to Ex-Im Bank.

4. Describe effort to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

All export transactions are independent of each other; therefore this is no duplication since each export corresponds to a unique financing transaction.

5. If the collection of information impacts small businesses or other small entities describe any methods used to minimize burden.

The ability to complete the form electronically and submit electronically reduces the paperwork burden on small businesses and processing time for Ex-Im Bank.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Without the collection of this information, the likely result is the payment of claims that are not eligible for support, which do not conform with Ex-Im Bank requirements or USG restrictions.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner”

*requiring respondents to report information to the agency more often than quarterly;

*requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

- *requiring respondents to submit more than an original and two copies of any document;
- *in connection with a statistical survey, that is not designed to produce valid or reliable results that can be generalized to the universe of study;
- *requiring the use of statistical data classification that has not been reviewed and approved by OMB;
- *that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- *requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

This collection is consistent with guidelines in 5 CFR 1320.6.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments.

60 day notice was published in the Federal Register, Vol. 81, No. 23 on February 4, 2016 on page 6002. The public comment period expired on April 4, 2016; no comments were received.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

Not applicable.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Ex-Im Bank and its officers and employees are subject to the Trade Secrets Act, 19 USC Sec 1905, which requires Ex-Im Bank to protect confidential business and commercial information from disclosure., as well as, 12 CFR 404.1, which provides that, except as required by law, Ex-Im Bank will not disclose information provided in confidence without the submitter's consent.

11. Provide additional justification for any question of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered provides. This justification should include the reasons why the agency considered the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

Not applicable.

12. Provide estimates of the hour burden to the respondents for the collection of this information. The statement should include:

Annual Number of respondents:	30
Estimated Time per Respondent:	30 minutes
Annual burden hours:	15 hours
Frequency of response:	as needed

13. Provide an estimate for the total annual cost burden to respondents or records keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in items 12 and 14).

Not applicable

14. Provide estimates of annualized costs to the Federal government.

Reviewing time per response:	1 minute
Responses per year:	30
Reviewing time per year:	0.5 hours
Average Wages per hour:	\$42.50
Average cost per year:	\$21.25
(time * wages)	
Benefits and overhead:	20%
Total Government Cost:	\$25.5

This information collection is used for already-reviewed, underwritten and approved financing transactions and is one more step in EXIM's due diligence process throughout the life of the financing. Once EXIM has made a decision to finance an export sale, the financing transaction goes through a legal analysis and documentation process before any financing may be drawn down. Once the legal documentation is in place, exporters start shipping to the foreign buyer and complete this information collection in order to document the domestic and foreign content included in the export sale. The exporter is also certifying in this information collection to the exporter's compliance with a number of legal and policy requirements.

This specific information collection is submitted to EXIM with a request to disburse, or guarantee the disbursement of, funds. EXIM's review is compliance-based and ensures that the exporter has certified its compliance with the legal and policy requirements and has documented the amount of domestic and foreign content, so that EXIM may determine how much of the specific shipment is eligible for support. The review of the information is very simple as it entails: 1) confirming that the

document is related to the specific financing transaction, 2) identifying the amount of domestic content, and 3) confirming that the certification has been signed. If the exporter indicates that the shipment is comprised of wholly domestic content, it takes less than one minute for the experienced (15 - 20 years doing this review) professionals to review the information provided. When the exporter indicates there is some foreign content, then the review may take more time in order to confirm the mathematical calculations. On average, the compliance review associated with this information collection takes one minute.

Explain the reasons for any program changes or adjusted reported in items 13 or 14 of OMB Form 83-1.

There is no change as this is a new information collection.

For collection of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Not applicable

B. Collection of Information Employing Statistical Methods

The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. When Item 17 on OMB Form 83-1 is checked, "Yes" the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:

Statistical methods are not used in this information collection.