or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install and utilize technology and systems for the purposes of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Respondents/Affected Entities: Entities potentially affected by this action are companies that manufacture, process, import, use, distribute or dispose of chemicals.

Frequency of Collection: On occasion.

Estimated No. of Respondents: 396.

Estimated Total Annual Burden on Respondents: 203,014 hours.

Estimated Total Annual Costs: $8,664,319.

Changes in Burden Estimates: This request reflects a decrease of 979,560 hours (from 1,182,574 hours to 203,014 hours) in the total estimated respondent burden from that currently in the OMB inventory. This decrease is due to a re-estimation of the numbers of test rules and enforceable consent agreements that the Agency will issue, and a re-estimation of the expected level of testing remaining to be done under the HPV Challenge Program. In addition, the burden related to an initiative that was previously included, has been transferred to another ICR. The change in burden represents an adjustment.

Dated: January 27, 2005.

Oscar Morales,

Director, Collection Strategies Division.

[FR Doc. 05–2071 Filed 2–2–05; 8:45 am]

BILLING CODE 6560–50–P

EXPORT-IMPORT BANK

[Public Notice 72]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Export-Import Bank of the U.S.

ACTION: Notice and request for comments.

SUMMARY: The Export-Import Bank, as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection as required by the Paperwork Reduction Act of 1995.

SUPPLEMENTARY INFORMATION: This notice is soliciting comments from the public concerning the proposed collection of information to (1) evaluate whether the proposed collection is necessary for the paper performance of the functions of the agency, including whether the information will have practical utility; (2) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) enhance the quality, utility, and clarity of the information to be collected; and minimize the burden of collection of information on those who are to respond, including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

DATES: Written comments should be received on or before March 7, 2005 to be assured of consideration.

ADDRESSES: Direct all comments to David Rostker, Officer of Management and Budget, Office of Information and Regulatory Affairs, NEOB, Room 10202, Washington, DC 20503 (202) 395–3897.

Title and Form Number: Export-Import Bank of the United States Long-Term Preliminary Commitment and Final Commitment Application, EIB 95–10.

OMB Number: 3048–0013.

Type of Review: Revision and extension of a currently approved collection.

Need and Use: The information requested enables the applicant to provide Ex-Im Bank with the information necessary to determine eligibility for the loan and guarantee programs.

Affected Public: Business or other for-profit.

Respondents: Entities involved in the provision of financing or arranging of financing for foreign buyers of U.S. exports.

Estimated Annual Respondents: 70.

Estimated Time per Respondent: 1.5 hours.

Estimated Annual Burden: 105 hours.

Frequency of Response: When applying for a long-term preliminary or final commitment.

Dated: January 31, 2005.

Solomon Bush,

Agency Clearance Officer.

BILLING CODE 6690–01–M

OMB 3048-0013
Expires 1/31/2005

Export-Import Bank of the United States

APPLICATION FOR LONG-TERM LOAN OR GUARANTEE

This application is to be used for direct loan and guarantee transactions with financed amounts over $10 million (excluding financed premium), typically with tenors over seven years. It is also to be used for certain Ex-Im Bank products and programs regardless of transaction size or tenor including: Large Aircraft, Limited Recourse and Structured Financing, and Tied Aid. (To request a Credit Guarantee Facility, please complete the Medium-Term application.)

Additional information on how to apply for Ex-Im Bank long-term loans and guarantees can be found at Ex-Im Bank's web site **http://www.exim.gov/tools/how_to_apply.html**

Send this completed application to Ex-Im Bank, 811 Vermont Avenue, NW, Washington, DC 20571. Ex-Im Bank will also accept e-mailed PDF and faxed applications. Please note that applications must be PDF scans of original applications and all required application attachments. (Fax number 202.565.3380, e-mail **exim.applications@exim.gov**). Hard copies of required supporting documentation may still be required for limited recourse and structured financing requests.

APPLICATION FORM

1. COMMITMENT OR FINANCING TYPE REQUESTED

A. Product

- • Comprehensive Guarantee
- • Political Risk Guarantee
- • Direct Loan
- • Preliminary Commitment - See Preliminary Commitment Fact Sheet for eligibility criteria. A justification for a Preliminary Commitment is to be attached. (http://www.exim.gov/pub81.html)

B Conversion of a Preliminary Commitment or a Letter of Interest

• No • Yes. The Ex-Im Bank reference number is: _____

C. Resubmission • Check if this is a resubmission of an application that was previously deemed incomplete or was withdrawn for other reasons. The Ex-Im Bank reference number is: _____

2. PARTICIPANTS:

Applicant name: _____ Duns #: _____

Contact person: _____ Phone #: _____

Position title: _____ Fax #: _____

Street address: _____ E-mail: _____

City: _____ State/Province: _____ Nine-digit zip code: _____

Country: _____ Taxpayer ID #: _____

Number of employees: _____

Applicant's role in the transaction: • exporter • buyer/ borrower • lender (if lender is applicant, lenders mandate must be attached)

Primary contact point for Ex-Im Bank inquiries on this transaction: • exporter • lender • borrower

OMB 3048-0014
Expires 1/31/2005

Exporter. The exporter is the U.S. entity that contracts with the buyer for the sale of the U.S. goods and services.

• • • Check if the exporter is the applicant. Otherwise, complete the information below for each exporter, including ancillary service providers.

Exporter name: Duns #:
Contact person: Phone #:
Position title: Fax #:
Street address: E-mail:
City: State/Province: Nine digit zip code:
Taxpayer ID #:
Number of employees:

Supplier. The supplier is the U.S. company that manufactures the goods and/or performs the services to be exported.

• • Check if the supplier is also the exporter. Otherwise, complete the information below for each supplier, including ancillary service providers.

Supplier name: Duns #:
Contact person: Phone #:
Position title: Fax #:
Street address: E-mail:
City: State/Province: Nine digit zip code:
Taxpayer ID #:
Number of employees:

Borrower. The borrower is the entity that agrees to repay the loan.

• • Check if the borrower is the applicant. If not, complete the information below.

Borrower name: Duns #:
Contact person: Phone #:
Position title: Fax #:
Street address: E-mail:
City: State/Province: Postal code:
Taxpayer ID #:
Country:

OMB 3048-0014
Expires 1/31/2005

Guarantor. The guarantor is the person or entity that agrees to repay the credit if the borrower does not. Complete the information below for each guarantor if a guarantor is offered or required.

Guarantor name:		Duns #:
Contact person:	Phone #:	
Position title:		Fax #:
Street address:		E-mail:
City:	State/Province:	Postal code:
Country		

Buyer. The buyer is the entity that contracts with the exporter for the purchase of the U.S. goods and services. Check if the buyer is also the • •borrower or • •guarantor. Otherwise, complete the information below.

Buyer name:		Duns #:
Contact person:	Phone #:	
Position title:		Fax #:
Street address:		E-mail:
City:	State/Province:	Postal code:
Country:		

End-user. The end-user is the foreign entity that uses the U.S. goods and services. Check if end-user is also the • •borrower or • •guarantor or • •buyer. Otherwise, complete the information below.

End-user name:		Duns #:
Contact person:	Phone #:	
Position title:		Fax #:
Street address:		E-mail:
City:	State/Province:	Postal code:
Country:		

Lender. The lender is the company that extends the Ex-Im Bank guaranteed or insured loan to the Borrower. Check if the lender is the • •applicant. Otherwise, complete the information below.

Lender name:	Duns #:	MGA#
Contact person:	Phone #:	
Position title:		Fax #:
Street address:		E-mail:
City:	State/Province:	Nine digit zip code:
Country:		

EIB-03-02
Revised 1/2005

OMB 3048-0014
Expires 1/31/2005

3. DETAILS OF COVERAGE REQUESTED

A.. Special Features Requested

Check the boxes for the coverage that apply to the transaction. View the fact sheets describing the coverage on Ex-Im Bank's web site as noted below. Complete and attach the requested forms.

☐ Large Aircraft *Attachment A required*	☐ Project Finance *Attachment F required*	☐ Structured Finance *Attachment G required*
☐ Foreign Currency Guarantee (specify currency) _____ **http://www.exim.gov/products/guarantee/foreign_curr.html**	☐ Local Cost Support **http://www.exim.gov/proucts/policies/local_cost.html**	☐ Co-Financing with Foreign Export Credit Agency *Attachment H required* **http://www.exim.gov/pub/txt/95-10aph.doc**
☐ Used Equipment *Attachment E required* **http://www.exim.gov/products/policies/used_equip.html**	☐ Nuclear **http://www.exim.gov/products/policies/nuclear/.html** Nuclear-screening document must be submitted with application	☐ Environmental Exports Program **http://www.exim.gov/products/special/environment.html**
☐ Ancillary Service Fees **http://www.exim.gov/products/ebd-m-13.html**	☐ 4-month interest rate hold (Direct loans only)	☐ Captialization of Interest During Construction
☐ Tied Aid Program *Attachment C required*	☐ Finance Lease Structure **http://www.exim.gov/products/insurance/leasing.html**	☐ Military/Security/Police **http://www.exim.gov/products/policies/military.html**
☐ Engineering Multiplier Program **http://www.exim.gov/ebd-m-13.html**	☐ Other _____	☐ Other _____

4. TRANSACTION DESCRIPTION

a) Describe Goods and Services. Include make, model, manufacturer/supplier, SIC codes or NAICS (if known) of goods and services, number of units, values, and estimated U.S. and foreign content. This section doesn not need to be completed if the exporter attached a Content Report.

b) Describe the purpose of the transaction. Include answers to the following: Will the goods be used to create or expand produc tion capacity for an exportable product? Are the goods and services destined for an identifiable project? If so, provide information on the total estimated project cost in US dollars. Also provide information as to other sources of financing for the project, including working capital.

OMB 3048-0014
Expires 1/31/2005

c) Indicate whether an application for support of this export contract or a related project has been filed with the Agency for International Development, Maritime Administration, Overseas Private Investment Corporation, Trade Development Agency or a multilateral financing agency. If so, include a brief description of the additional support.

5. REQUESTED FINANCING AMOUNTS AND STRUCTURE

Ex-Im Bank support is based on the value of the eligible goods and services in the exporter's supply contract(s) or purchase order(s). The total level of support will be the lesser of: 85% of the value of all eligible goods and services; or 100% of the U.S. content included in all eligible goods and services in the exporter's supply contracts. In addition, Ex-Im Bank may also finance certain local costs, ancillary services as approved, and the exposure fee/premium. Fill out the chart below to determine estimated eligible amounts.

		Definition	**US$**
A	Supply Contracts or Purchase Orders	The aggregate price of all goods and services in all the supply contract(s) or purchase order(s), including local costs, ancillary services, and excluded goods and services. Break out ancillary services in Aii.	Ai Aii
B	Excluded Goods and Services	The aggregate price of all goods and services that are not eligible for or are excluded from Ex-Im Bank support (e.g. goods not shipped from the U.S. and excluded ancillary services). Local costs should not be included in this line.	
C	Total Local Costs	The aggregate price of all goods manufactured in the end-user's country and all services provided by residents of the purchaser's country. Ex-Im Bank may be able to finance these amounts up to 15% of D below.	
D	Net Contract Price	A minus B minus C	
E	Eligible Foreign content	The aggregate cost of any goods produced or manufactured outside the U.S, or services provided by third country personnel or foreign freight costs and foreign insurance included in the net contract price (line D), (e.g. foreign items shipped from the US)	
F	U.S. Content	D minus E	
G	Cash Payment	This amount must be the greater of E or 15% of D	
H	Local Cost Financing Requested	This can be no more than 15% of D	
I	**Financed Amount Requested** (Excluding Exposure Fee)	D minus G plus H	

EIB-03-02
Revised 1/2005

OMB 3048-0014
Expires 1/31/2005

A. Exposure Fee . Check one box.

- • Ex-Im Bank to finance the fee, which will be paid as the credit is drawn down.
- • Ex-Im Bank to finance the fee, which will be paid up front.
- • Ex-Im Bank will not finance the fee, and it will be paid as the credit is drawn down.
- • Ex-Im Bank will not finance the fee, and it will be paid up front.

B. Transaction Structure.

i. Principal Repayment Term. _____(years). Unless otherwise requested, equal installments of principal will be repaid semi-annually beginning six months after the starting point.

ii Starting Point. The starting point is generally the event that marks the fulfillment of the exporter's contractual responsibility. See Ex-Im Bank's fact sheets on starting points and reach-back policies at **www.exim.gov**. (Check one box.)

- • Shipment (single shipment)
- • Final Shipment (multiple shipments)
- • Mean Shipment (multiple shipments)
- • Other
- • Services Completion.
- • Completion of Installation. Specify date: _____
- • Project Completion. Specify date: _____

iii Shipment Period. Shipments will be completed and/or services will be performed from:
[ ] (month/year) to [ ] (month/year) excluding any acceptance, retention, or warranty period.

iv. Interest rate.
The interest rate to be charged on the guaranteed loan is: _____

6. REASON FOR REQUESTING EX-IM BANK SUPPORT.

Ex-Im Bank will finance the export of U.S. goods and services if it can be demonstrated that Ex-Im Bank support is necessary for the transaction to proceed. Check one of the boxes below describing why support is necessary.

- • The exporter is aware that foreign companies are competing, or are expected to compete for the sale. Provide company name, country, and (if known/applicable) the supporting export credit agency.

_____

_____

_____

_____

- • The exporter is aware that foreign companies manufacture comparable goods and services that are sold in the buyer's market with export credit agency support available. Provide company name, country, and (if known/applicable) the supporting export credit agency.

_____

_____

_____

OMB 3048-0014
Expires 1/31/2005

- • There is limited availability of private financing (from either external or domestic sources). Indicate how financing is constrained by checking the appropriate box.

  - • No availability of economically viable interest rates on terms over one to two years.
  - • Financial institution lending capacity limits reached for either borrower and/or country.
  - • Other (please describe) _____

_____

7. CREDIT INFORMATION

The credit information outlined in the following is attached.

- • Large Aircraft *(Attachment A)*
- • Long-Term and Structured Transactions (*Attachment G)*
- • Limited Recourse Project Finance *(Attachment F)*

8. OTHER INFORMATION AND CERTIFICATIONS

A. General Information - Provide the following:

- • Credit Agency report(s) on the exporter(s). If exporter has a credit rating of BBB or better, this is not required.
- • Annex A to the Master Guarantee Agreement (Guarantees only) at **http://www.exim.gov/pub/pdf/mt-anx-exec.pdf**
- • Lender's mandate letter (required when applicant is a financial institution).
- • Environmental Screening (attachment B).

B. Supply Contracts Between the Exporter and Buyer.

- • Sales contract(s), pro forma invoice(s), or purchase order(s) are attached.
- • No contract is attached. (Project Finance and Preliminary Commitments only)

C. Commitment Fee Agreement.

A commitment fee accrues starting 60 days after the authorization of a final commitment and is payable semiannually in arrears on a schedule determined at the time of authorization. The commitment fee is 1/8 of 1% per annum on the un-disbursed and un-cancelled balance of a guaranteed loan or 1/2 of 1% per annum for a direct loan. Choose one of the options below regarding the payment of the commitment fee:

- • The applicant is the borrower, and by signing the application, is irrevocably committing to pay the commitment fee.
- • The applicant is the guaranteed lender, and is (check one):
  - • signing the application which irrevocably commits it to pay the fee, or
  - • signing the application and enclosing with it an Ex-Im Bank standard form fee letter from the borrower (at **http://www.exim.gov/pub/pdf/mt-anx-exec.pdf**). This letter irrevocably commits the borrower to pay the fee.
- • The applicant is the exporter, and is signing the application and enclosing with it an Ex-Im Bank standard form fee letter from the • borrower or • guaranteed lender (at **http://www.exim.gov/pub/pdf/mt-anx exec.pdf**). This letter irrevocably commits the borrower or guaranteed lender to pay the fee.

D. Content Report

Ex-Im Bank does not require the Content Report at the time of application. Processing of, and the decision on, the application will not be delayed or affected by the submission or absence of the report. A Cause Report EBD-M-55 is requested at the end of each calendar year to describe the nature and reason for the inclusion of any good and services with 50% or more foreign content in the good or service.

OMB 3048-0014
Expires 1/31/2005

E. Anti-Lobbying Disclosure form

Please refer to the Anti-Lobbying Declaration/Disclosure forms (at **http://www.exim.gov/pub/pdf/95-10apd.pdf**) and include a signed copy of the appropriate form(s) with your application.

F. Certifications

The undersigned certifies that the facts stated and the representations made in this application and any attachments to this application are true, to the best of the applicant's knowledge and belief after due diligence, that the applicant has not omitted any material facts. The undersigned certifies that neither it, nor its principals, have with in the past three years been a) debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in, a covered transaction, b) formally proposed for debarment, with a final determination still pending, (c) indicted, convicted or had a civil judgment rendered against it for any of the offenses listed in the Regulations, (d) 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 (e) 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 a) through d) in this paragraph. We further certify that we have not and will not knowingly enter into any agreements in connection with the Goods and Services with any individual or entity that has been debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a Covered Transaction. All capitalized terms not defined herein shall have the meanings set forth in the Government-wide Non-procurement Suspension and Debarment Regulations - Common Rule (Regulations).

In addition, we further certify that we have not, and will not, engage in any activity in connection with this transaction that is a violation of a) the Foreign Corrupt Practices Act of 1977, 15 U.S.C. 78dd-1, et seq. (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), b) the Arms Export Control Act, 22 U.S.C. 2751 et seq., c) the International Emergency Economic Powers Act, 50 U.S.C. 1701 et seq., or d) the Export Administration Act of 1979, 50 U.S.C. 2401 et seq.; nor have we 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 our knowledge, the performance by the parties to this transaction of their respective obligations does not violate any other applicable law.

The applicant certifies that the representations made and the facts stated in this application 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.).

8. NOTICES

The applicant is hereby notified that information requested by this application is done so under authority of theExport-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. 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 proThe information provided will be held confidential subject to the Freedom of Information Act (5 USC 552) the Privacy Act of 1974 (5 USC 552a), and the Right to Financial Privacy Act of 1978 (12 USC 3401), except as otherwise required by law. Note that the Right to Financial Privacy Act of 1978 provides that Ex-Im Bank may transfer financial records included in an application for a loan or loan guarantee, or concerning a previously approved loan or loan guarantee, to another Government authority as necessary to process, service or foreclose on a loan or loan guarantee, or collect on a defaulted loan or loan guarantee.

Applicant (company) name: .....

Name and tittle of authorized officer: .....

Signature of authorized officer: .....

Date: .....

EIB-03-02
Revised 1/2005

OMB No. 3048-0013
Expires 1/3/2005

LONG-TERM LOAN OR GUARANTEE APPLICATION
ATTACHMENT A: Large Aircraft Transactions

1. **Financing Type Requested.** Three financing options are available for new large aircraft transactions under the Large Aircraft Sector Understanding (LASU), contained in the OECD Arrangement. All three options may be requested for a PC. Only one option may be chosen for an AP. Check below the option(s) you are requesting. For ***used*** large aircraft transactions, complete No. 3 of the *Long-Term Loan or Guarantee Application.*

   • • **Option 1:** An Ex-Im Bank guarantee for up to 85% of the contract price.

   • • **Option 2:** An Ex-Im Bank guarantee for 42.5% of the contract price coupled with an Ex-Im Bank direct loan at the applicable LASU interest rate for 42.5% of the contract price. The Ex-Im Bank direct loan is repaid during the later maturities.

   • • **Option 3:** An Ex-Im Bank guarantee for 22.5% of the contract price coupled with an Ex-Im Bank direct loan at the applicable LASU interest rate for 62.5% of the contract price. The Ex-Im Bank guaranteed loan and direct loan are repaid on a pari-passu basis.

2. **Spare Parts Financing.** Indicate if any spare parts or spare engines are included in the export sale and provide the requested information on these items.

3. **Credit Information.** The information requested in this section is generally required for all applications. If the transaction is secured with a sovereign guarantee, all or part of the detailed operational information requested in items E, F, and G below may not be necessary. Likewise, if the airline is a repeat customer of Ex-Im Bank, much of the historical financial and operating information may already have been provided to Ex-Im Bank, and additional information could be limited to updating the existing information. In either situation, please contact the Transportation Division to discuss the possibility of limiting the amount of information required by Ex-Im Bank. If any of the information listed in this section is not obtainable, Ex-Im Bank can discuss other options for credit analysis with the applicant.

   a. Airline history and ownership, and background data on senior management/directors.

   b. Contract price of aircraft, net of all credit memoranda and other discounts extended by the suppliers of the airframe, engines, and other components.

   c. Amount of buyer furnished equipment (BFE) included in the contract price, description of BFE, and location where BFE will be installed.

   d. Reason for purchase (replacement or expansion of fleet), proposed routes, and suitability of aircraft model in terms of fleet make-up and intended routes.

   e. Description of each business segment of airline operations (passenger, freight, maintenance, catering, and other related businesses), and the portion of revenue and operating profit attributable to each segment.

   f. Identification of major geographic markets and description of competitive position, market share, and strategy regarding competition, yield management, and cost control in each market. Include the airline's marketing plan and details of affiliations and partnerships with other carriers.

   g. The operating statistics listed below or similar statistics containing the same general information for the most recent three years and, if available, up to five years. Provide the listed statistics for domestic and international operations, as well as for each geographic region or route type and each business segment.

ASKs (Available Seat Kilometers)	Load Factors
ATKs (Available Ton Kilometers)	Yield (passenger and cargo)
RPKs (Revenue Passenger Kilometers)	Aircraft Utilization Rate
RTKs (Revenue Ton Kilometers)	Number of Employees
Operating Expenses per Available Seat Kilometers	

   h. Present and projected route structure, including basis for selecting new or expanded routes.

   i. Audited balance sheet, income, and cash flow statements and annual reports for the three most recent fiscal years, and interim statements for the most recent period, if applicable. Annual statements must be prepared in accordance with internationally accepted accounting principles and audited in accordance with international standards.

   j. Projected balance sheet, income, and cash flow statements for a five-year period, accompanied by supporting assumptions.

   k. Moody's or Standard & Poors ratings, if available.

LONG-TERM LOAN OR GUARANTEE APPLICATION
ATTACHMENT A: Large Aircraft Transactions

OMB No. 3048-0013
Expires 1/3/2005

l. Lender's detailed term sheet of proposed financing structure (*not required for Preliminary Commitments*). Include relevant information on the special purpose vehicle (SPV) for lease structures, including the domicile and proposed ownership of the SPV. If a tax lease structure is contemplated, include a description and flow chart of the proposed tax lease structure.

4. **Security Requirements.** Ex-Im Bank will determine whether the security for a specific large aircraft transaction will be a sovereign guarantee, a lien on the aircraft, or both. For large aircraft transactions in which the security includes the aircraft, Ex-Im Bank will require that a valid and enforceable lien be placed on the aircraft to be financed. The information listed below concerning registration and mortgages is required if Ex-Im Bank has no prior experience with asset-based structures in the airline's country or if the laws pertaining to registration and mortgages have been amended. Please contact the Transportation Division to determine if such experience exists. Supplemental information on these issues may be required during the processing of the application and Ex-Im Bank may ask the applicant to pay for outside counsel or consultants selected by Ex-Im Bank to research particular issues. Include with the application any additional information that may facilitate Ex-Im Bank's determination of security.

a. **Aircraft Registration**

- Is the country of registration a party to the Chicago Convention of 1944 on International Civil Aviation?
- Are there statutes or regulations in the country dealing with the registration of aircraft? If so, provide an English translation of such statutes or regulations.
- Is there an aircraft registry? If so, describe how it operates.
- What specific steps (including any provisions that must be contained in the relevant documents) must be taken to register and deregister an aircraft?

b. **Aircraft Mortgages**

- Is the country of registration a party to the Convention of 1948 on International Recognition of Rights in Aircraft (the "Geneva Convention")?
- Describe the statutes or regulations in the country dealing with mortgages of aircraft.
- Can a valid and perfected first priority mortgage on the aircraft and engines be created for the benefit of Ex-Im Bank?
- What claims may have a "super" priority over a mortgagee or lessor of an aircraft?
- Following a default, can an aircraft be repossessed without judicial interference?
- Can a judgment be awarded in U.S. dollars and, if so, are any special approvals necessary?
- Will a foreign judgment or a judgment by an arbitrator be recognized in the airline's country?

If you have questions about this attachment, please contact the Transportation Division (Telephone: 202-565-3550 or Fax: 202-565-3558).

OMB No. 3048-0013
Expires 1/31/2005

LONG-TERM LOAN OR GUARANTEE APPLICATION
ATTACHMENT B: Environmental Screening Document

***Must** Accompany All Applications For Long-Term Financial Support*

The information provided on this form is used to environmentally categorize the application and thereby determine the information needed (if any) for Ex-Im Bank to evaluate the environmental effects of the transaction, a process that is crucial to the appropriate and timely review of your application. Please check the boxes that apply.

Are the products or services covered in your application destined for an identified project?

☐ **No**, explain _____

☐ **Yes**, a) identify the project_____

b) provide a brief description, including output, capacity, size, etc._____

_____

_____

_____

c) indicate whether new project, rehabilitation or expansion _____

Project Location

Is the project located in or near an environmentally sensitive site or area? (Check all applicable):

☐ Tropical Forest
☐ Nationally Designated Wetlands or Seashore / Protected Wildlands / Nationally Designated Refuges
☐ National Parks
☐ Coral Reefs or Mangrove Swamps
☐ Habitat of Endangered Species
☐ Location affecting indigenous or tribal populations
☐ Location having Historical / Archaeological Significance
☐ Large Scale Resettlement? (Potential Number of People Affected: _____)
☐ Properties on the World Heritage List

Project Sector Or Industry

Check classification(s) describing the project for which the exports are destined:

☐ Large infrastrucure:
- ☐ Airport
- ☐ Ports/harbors
- ☐ Pipelines
- ☐ Highways
- ☐ Other large infrastructure

☐ Agro-industries – large scale
☐ Forestry
☐ Mining & Mineral Processing Plant
☐ Oil & gas field development
☐ Hydropower Plant / Water Reservoir
☐ Thermal power plant
- ☐ over 140 MWe
- ☐ under 140 MWe

☐ Nuclear power plant
☐ Geothermal Power

☐ Waste management

☐ Iron & Steel Plant
☐ Smelter
☐ Pulp & Paper Plant
☐ Petroleum Refinery or Petrochemical Plant
☐ Chemical / Pharmaceutical
☐ Natural Gas Liquefaction Plants
☐ Industrial plants – large scale

☐ Transportation (Aircraft, Locomotives, Boats)
☐ Telecommunications or Satellites

☐ Air traffic control or navigational aids
☐ Railway signaling

☐ Hospitals and medical equipment

☐ Pre-project services, feasibility/environmental study
☐ Consulting services

☐ Other, specify:_____

Name of Applicant _____ **Date**_____

For inquiries and information please contact the Engineering & Environment Division at (202)565-3570.

Revised 1/05

OMB No. 3048-0013
Expires 1/31/2005

LONG-TERM LOAN OR GUARANTEE APPLICATION

ATTACHMENT C: Tied Aid Capital Projects Fund

1. Check if you are requesting appropriate Ex-Im Bank support to preclude or counter foreign tied aid offers.

2. Check if one or more foreign governments are offering, or planning to offer, unusually long repayment periods, unusually low interest rates, and/or mixed grant-credit financing for ***the specific contract for which Ex-Im Bank support is sought***. Attach available documen-tary evidence of a foreign tied aid credit offer. If such evidence is not available, specify your reasons for suspecting foreign tied aid.

3. Check if you authorize Ex-Im Bank to ask the OECD Secretariat to issue a confidential "no aid" comm. on line request to OECD member governments. Acceptance of this request would preclude future foreign and U.S. aid financing for the project.

4. Check if you believe that loss of this contract will jeopardize follow-on sales opportunities for similar sales in the same market. Provide the type and estimated value of potential follow-on sales.

5. Provide the following information, if known, for each foreign government's tied aid offers.

	Foreign Offer #1	Foreign Offer #2
Donor government		
Foreign exporters supported		
Total offer amount		
Currency of offer		
Credit portion amount		
Credit portion interest rate		
Credit portion grace period		
Credit portion repayment period		
Grant portion, if any		

If you have questions about this attachment, please contact the Business Development Division (Telephone: 202-565-3946 or Fax: 202-565-3931).

EIB Form 95-10 (attachment C)
Revised 1/05

OMB No. 3048-0013
Expires 1/31/2005

Long-Term Loan or Guarantee Application

ATTACHMENT D: Anti-lobbying Declaration/Disclosure

This attachment applies only to applications for final commitments.

1. Anti-Lobbying Law.

Under a U.S. law (31 U.S.C. 1352), recipients of U.S. government loans, grants, contracts, and cooperative agreements are prohibited from spending Federally appropriated funds to influence certain U.S. government employees, including Ex-Im Bank employees, in connection with the awarding of those Federal awards.

Recipients of Federal loans, grants, guarantees, insurance, contracts and cooperative agreements may spend non-Federally appropriated funds for such lobbying purposes; however, they are required to report such lobbying expenditures.

The law applies to Ex-Im Bank loan, guarantee and insurance transactions. Declaration and Disclosure Forms are to be filed by applicants and recipients and certain exporters and suppliers, as defined below.

2. Compliance Procedures. 2a. Who Must File.

All applicants for final commitments from Ex-Im Bank must file a Declaration regardless of whether non-Federally appropriated funds have been spent for lobbying purposes. If non-Federally appropriated funds have been spent, a Disclosure Form must also be filed. Applicants include borrowers and lenders who are applicants for final commitments for medium-term and long-term direct loans and guarantees.

The Declaration and/or Disclosure Forms must be received by Ex-Im Bank from the applicant before Ex-Im Bank will consider the application for a final commitment.

All recipients under Ex-Im Bank programs, who are not the applicant for a final commitment, must file a Declaration and, if they have spent funds for lobbying purposes, a Disclosure Form. Recipients include borrowers who receive Ex-Im Bank direct loans and lenders who receive Ex-Im Bank guarantees.

The Declaration and/or Disclosure Forms must be received by Ex-Im Bank from the recipients before Ex-Im Bank will enter into a loan or guarantee agreement.

All suppliers who have entered into a contract in excess of $100,000 with the recipient of an Ex-Im Bank direct loan or grant must file a Declaration and, if funds have be en spent for lobbying purpose s, a Disclosure Form.

Such suppliers must file the Declaration and/or Disclosure Forms upon being awarded the supply contract.

2b. Exemptions.

The law has been interpreted so that it does not apply to foreign governments, their instrumentalities or their wholly-owned companies. Therefore, these entities are exempt from filing both the Declaration and Disclosure Forms.

The law's disclosure requirements do not apply to loan or guarantee transactions where the U.S. Government-financed portion is $150,000 or less.

2c. How To File.

Complete the appropriate Declaration Form on the following page. If you are required to file a Disclosure Form, it will be provided by Ex-Im Bank upon request. Any person who fails to file the required forms shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

OMB No. 3048-0013
Expires 1/31/2005

Long-Term Loan or Guarantee Application

ATTACHMENT D: Anti-lobbying Declaration/Disclosure

3. Certification for Contracts, Grants, Loans and Cooperative Agreements.

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
(2) If any funds other than Federal appropriated 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 Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was mad e or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Cod e. Any person w ho fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Applicant/Recipient Company
Signature
Name Title

OMB No. 3048-0013
Expires 1/31/2005

Long-Term Loan or Guarantee Application

ATTACHMENT D: Anti-lobbying De claration/Disclosure

4. Statement for Loan Guarantees and Loan Insurance.

The undersigned certifies, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be pa id to an y 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 a Congress in connection with this commitment providing for the Unit ed States t o insure o r guarantee a loan, the undersigned shall complete an d submit Standard Form-LLL, "Disclosure Form to Report Lobbying", 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.

Applicant/Recipient Company

Signature

Name Title

OMB No. 3048-0013
EXPIRES 1/31/2005

LONG-TERM LOAN OR GUARANTEE APPLICATION
ATTACHMENT E: USED EQUIPMENT

Equipment that has been previously owned or placed into service is generally eligible for support under Ex-Im Bank's loan, guarantee and insurance programs, provided certain criteria are met. To be eligible for Ex-Im Bank support, used equipment, including equipment that has been refurbished in the U.S., must meet the following **eligibility criteria:**

1. To be considered U.S. content, the used equipment must be of original U.S. manufacture, AND, if previously exported, must have been in use in the U.S. for at least one year prior to export.

2. The U.S. costs associated with the refurbishment of the equipment are eligible for Ex-Im Bank support, provided they meet Ex-Im Bank's foreign content policy parameters. Ex-Im Bank can support the lesser of 85 percent of the U.S. Contract Price of the item or 100% of the actual U.S. content of the item provided that (a) the item is shipped from the U.S. and (b) the foreign content of the item does not exceed 50 percent of the item's total production cost.

3. If the used equipment is of either original foreign manufacture or original U.S. manufacture, previously exported and has **not been in use in the U.S. for at least one year prior** to its proposed export, then Ex-Im Bank will treat it as **foreign content** and the following applies:

a. if the equipment is to be refurbished, the used equipment procurement cost is considered eligible foreign content provided that this cost is less than 50 percent of the total procurement and refurbishment cost.

b. if the foreign content of the used equipment exceeds 50 percent of the cost associated with the procurement and refurbishment of the equipment, then only the U.S. refurbishment portion will be considered eligible for Ex-Im Bank support.

4. Previously exported goods that benefitted from Ex-Im Bank financing in the past will be considered eligible for Ex-Im Bank support provided that the original financing has been **paid in full and** that the equipment has been **in use in the U.S. for at least one year**.

5. The **repayment term** that Ex-Im Bank offers for used and refurbished equipment will be consistent with Ex-Im Bank's international agreements for repayment terms based on contract value. Ex-Im Bank, at its sole discretion, will determine the remaining useful life of such equipment.

a. If the remaining **useful life** of the equipment is **at least half** the useful life of equivalent **new equipment**, then Ex-Im Bank may support a repayment term equal to that offered new equipment.

b. If the remaining **useful life** of the equipment is **less than half** the useful life of equivalent **new equipment**, then Ex-Im Bank may support a repayment term **equal to the useful life** remaining.

c. If the sale **includes** items some of which may have a **useful life of at least half** that of equivalent new equipment and **some** of which may have a **useful life of less than half** that of equivalent new equipment, a **weighted average** of the useful lives of all the items will be calculated to determine the payment term of the entire sale.

OMB No. 3048-0013

EXPIRES 1/31/2005

LONG-TERM LOAN OR GUARANTEE APPLICATION
ATTACHMENT E: USED EQUIPMENT

Used Equipment Questionnaire

Applicant: _____
Buyer: _____
Policy number (*for insurance program*): _____.

Complete a separate questionnaire for each item of used equipment.

1. Product information

Name and description of used equipment: _____
Equipment History
a) year manufactured: _____ b) hour meter reading: _____
c) mileage: _____ d) where is equipment located: _____
e) how long has the equipment been there?: _____
Is the product under warranty? ☐ Yes ☐ No
Term: _____ Description: _____
Has the equipment been rebuilt/reconditioned? ☐ Yes ☐ No
By whom? _____ Location: _____ Date: _____
Does this equipment have an independent mechanical certification, evaluation, or assessment? ☐ Yes ☐ No

2. Export/Import History

Was the equipment previously exported? ☐ Yes ☐ No
Did Ex-Im Bank provide support? ☐ Yes ☐ No If yes, details: _____

Was the equipment imported to the U.S. ? ☐ Yes ☐ No

3. Prices and Costs

Contract price: $_____ Foreign content included in the contract price: $_____
U.S. supplier's purchase price: $_____ Purchase Date: _____
Cost of rebuilding/reconditioning: $_____ Cost of spare parts included: $_____
Description of rebuilding and/or spare parts: _____

4. Used Aircraft Only.

Have all airworthiness directives been completed? ☐ Yes ☐ No
If no, describe the regulation or directive permits required for continued operation of the aircraft: _____
_____
Number of cycle hours remaining on the airframe and engines: _____
Months remaining before next maintenance "C" and "D" checks: _____
Names of each previous owner and lessee with the corresponding acquisition dates: _____

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

If you have any questions, please call Ex-Im Bank's Engineering Division on 202.565.3570 or Business Development Group on 202.565.3946

PRELIMINARY/FINAL COMMITMENT APPLICATION
ATTACHMENT F: Project and Structured Finance

OMB No. 3048-0013
Expires 1/31/2005

I. Project Finance.

The term "project finance" refers to the financing of projects that are dependent on the project cash flows for repayment as defined by the contractual relationships within each project. These projects do not rely on the typical export credit agency security package which has recourse to a foreign government, financial institution or established corporation to meet a reasonable assurance of repayment criterion. By their very nature, projects rely for successful completion on a large number of integrated contractual arrangements.

1. Ex-Im Bank Project Finance.

- **Maximum Support Possible.** Where appropriate, Ex-Im Bank will offer the maximum support allowed within the rules of the OECD Arrangement, to include:

a) *Financing of interest accrued during construction related to the Ex-Im Bank financing.*

b) *Allowance of up to 15% foreign content in the U.S. package.*

c) *Maximum repayment term allowed under the OECD guidelines.*

- **No Size Limitation.** There are no minimum or maximum size limitations.
- **Flexible Coverage.** Any combination of either direct loans or guarantees for commercial bank loans with political risk only or comprehensive coverage are available for a given project.
- **Flexible Equity Arrangements.** There are no predetermined equity requirements. Ex-Im Bank will review and determine the appropriate equity structure on a case-by-case basis. The equity sponsor's ownership position cannot be transferred without Ex-Im Bank's consent.
- **Ex-Im Bank Exposure Fee Commensurate with Risk.** Exposure fees will vary depending on the risk assessment of the project and the type of coverage requested during construction and post completion. The exposure fee can be paid up-front or with each disbursement and can be financed.
- **Environmental Considerations.** Ex-Im Bank's environmental procedures will apply.
- **Rapid Case Processing.** With the help of outside financial consultants, Ex-Im Bank will give a preliminary indication of support, called a Preliminary Project Letter (PPL), within 45 days from the date evaluation begins by the outside consultant. Should the project be sufficiently developed, the sponsor may proceed directly to a final commitment from the PPL, as determined by the Project and Structured Finance Division.
- **Financial Consultants.** Ex-Im Bank has advisers on specific project finance cases.

2. Application Process.

- **Submission.** The project finance application must include: 1) the standard *Ex-Im Bank Preliminary Commitment/Final Commitment Application*, and 2) the materials listed in this attachment. These materials should be marked "Project Finance Application" and submitted to Ex-Im Bank.
- **Preliminary Review.** Ex-Im Bank will review the submitted material within five to ten business days of the date that the application is received by the Division. This review will determine if the application includes the information required to proceed with an evaluation.
- **Incomplete Applications.** If the application presented is determined to be incomplete by the Project and Structured Finance Division, the applicant will be contacted with an explanation of the application's deficiencies. If the application is not determined to be suitable for limited recourse project financing but could still be considered for another form of Ex-Im Bank financing, it will be forwarded to the appropriate division and the applicant will be notified.
- **Choice of Financial Consultant.** A financial consultant will be selected by Ex-Im Bank to evaluate the application. Determination of the specific financial consultant will depend on several factors including geographic and sector expertise, and ability to meet project deadlines.
- **Evaluation Fee.** Before the financial consultant begins review, the applicant will be required to pay an evaluation fee.
- **Other Fees.** For most projects, Ex-Im Bank will require, either in conjunction with other lenders or for its own use, the advice of independent outside legal counsel, independent engineers, and insurance advisers. In addition, there may be other fees associated with conducting proper due diligence. Payment for these and any other fees will be the responsibility of the project sponsors or the applicant.
- **Preliminary Project Letter.** Assuming the evaluation process is satisfactory, the Project and Structured Finance Division will issue a PPL. The PPL indicates that Ex-Im Bank is prepared to move forward on a financing offer and the corresponding general terms and conditions. These terms and conditions will be based upon the information available at the time of application. The evaluation and issuance of the PPL will be completed within 45 days of commencement of the evaluation.
- **Evaluation Post-PPL.** After issuance of the PPL, Ex-Im Bank will work with the applicant to secure a final commitment. On a case-by-case basis, Ex-Im Bank may continue to utilize the financial consultant.

PRELIMINARY/FINAL COMMITMENT APPLICATION
ATTACHMENT F: Project and Structured Finance

OMB No. 3048-0013
Expires 1/31/2005

3. Project Criteria and Application Information Requirements.

a. General Project. (5 copies)

Definition

- Ideally the project should have long-term con-tracts from creditworthy entities for the purchase of the project's output and the purchase of the project's major inputs such as fuel, raw materials, and operations and maintenance. Such contracts should extend beyond the term of the requested Ex-Im Bank financing. Where such contracts do not exist, additional equity and/or other credit support is expected.
- The project should contain an appropriate allocation of risk to the parties best suited to manage those risks. Sensitivity analysis should result in a sufficient debt service coverage ratio to ensure uninterrupted debt servicing for the term of the debt.
- Total project cost should be comparable to projects of similar type and size for a particular market.
- Product unit pricing and costs should reflect market-based pricing.
- Devaluation risk needs to be substantially mitigated through revenues denominated in hard currencies, revenue adjustment formulas based on changing currency relationships, or other structural mechanisms.

Information required

1. Summary of all aspects of the project, as contained in an independently prepared feasibility study and/or a detailed information memorandum, prepared by a qualified party. The study or memorandum should include the project description, location, legal status, ownership, and the background and status of key elements of the project structure, such as agreements, licenses, local partner participation, and financing.
2. Draft agreements for key elements of the project, including supply and offtake agreements.
3. A breakdown of anticipated project costs through commissioning, including interest during construction and working capital requirements, by major cost category and country of origin.
4. A summary of the anticipated project financing plan and security package, including: the proposed source, amount, currency and terms of the debt and equity investments; the sources of finance in the event of project cost overruns; and a description of escrow accounts. Information on the terms, security requirements, and status of financing commitments of other lenders to the project, if applicable, should be provided.
5. Projected annual financial statements covering the period from project development through final maturity of the proposed Ex-Im Bank financing, to include balance sheet, profit and loss, source and application of funds statements, and debt service ratios. Projections should include a sensitivity analysis for not only the expected scenario but pessimistic and optimistic cases as well. The above information must be provided electronically in a user friendly financial model. Ex-Im Bank must be able to review and adjust the assumptions in the model.
6. Assumptions for the financial projections, including but not limited to the basis for sales volume and prices; operating and administrative costs; depreciation, amortization and tax rates; and local government policy on price regulation.
7. Market information to include: ten years of historical price and volume data; present and projected capacity of industry; product demand forecast with assumptions; description of competition and projected market share of the project as compared to the shares of the competition; identity and location of customers; and marketing and distribution strategy.
8. A description of the principal risks and benefits of the project to the sponsors, lenders, and host government.
9. A description of the types of insurance coverage to be purchased for both the pre- and post-completion phases of the project.

b. Participants. (5 Copies)

Definition

- Project sponsors, offtake purchasers, contractors, operators, and suppliers must be able to demonstrate the technical, managerial and financial capabilities to perform their respective obligations within the project.

Information Required

1. Sponsors must provide a brief history and description of their operations, a description of their relevant experience in similar projects, and three years of audited financial statements, in English.
2. If the sponsors are part of a joint venture or consortium, information on all participants should be provided. A shareholders' agreement should also be provided.
3. Offtake purchasers and suppliers should provide a history and description of operations, at least three years of audited financial statements, in English, and a description of how the project fits in to their long-term strategic plan.
4. Contractors and operators must provide resumes of experience with similar projects and recent historical financial information.

OMB No. 3048-0013
Expires 11/30/2004

PRELIMINARY/FINAL COMMITMENT APPLICATION
ATTACHMENT F: Project and Structured Finance

c. Technical. (3 Copies)

Definition

- Project technology must be proven and reliable, and licensing arrangements must be contractually secured for a period extending beyond the term of the Ex-Im Bank financing.
- A technical feasibility study or sufficiently detailed engineering information needs to be provided to demonstrate the technical feasibility of the project.

Information Required

1. Technical description and a process flow diagram for each project facility.
2. Detailed estimate of operating costs.
3. Arrangement for supply of raw materials and utilities.
4. Draft turnkey construction contract and description of sources of possible cost increases and delays during construction, including detailed description of liquidated damage provisions and performance bond requirements.
5. Project implementation schedule, showing target dates for achieving essential project milestones.
6. A site-specific environmental assessment, highlighting concerns, requirements and solutions. The information to be provided should demonstrate compliance with Ex-Im Bank's environmental guidelines.

d. Host Country Legal/Regulatory Framework and Government Role. (5 Copies)

Definition

- Host government commitment to proceeding with the project needs to be demonstrated.
- Legal and regulatory analysis needs to demonstrate that the country conditions and the project structure are sufficient to support long-term debt exposure for the project through enforceable contractual relationships.
- Ex-Im Bank's relationship with the host government will be addressed on a case-by-case basis. An Ex-Im Bank Project Incentive Agreement (PIA) with the host government may be required. The PIA addresses certain political risks and Ex-Im Bank's method of resolution of conflict with the host government pertaining to these issues. Only certain markets will require a PIA.

Information Required

1. A description of the host government's role in the project, and progress made toward obtaining essential government commitments, including authorizations from appropriate government entities to proceed with the project.
2. A definition of the control, if any, that the government will have in the management and operation of the project, and status of any assurances that the government will not interfere in the project's operation. If the government is also a project sponsor, these issues will be of particular importance.
3. Evidence of the government's current and historical commitment and policies for availability and convertibility of foreign currency.
4. Status and strategy for obtaining government undertakings to support any government parties involved in the project, to the extent that such undertakings are needed to provide adequate credit support for such entities.

II. Structured Finance.

"Structured" transactions will have an established corporation as a borrower but may rely upon sources of collateral or security in addition to the corporation's balance sheet. The information required for structured finance applications is the same as that requested in "Attachment G' plus any additional data describing the proposed structure and security package.

If you have questions about this attachment, please contact the Project and Structured Finance Division (Telephone: 202-565-3690 or Fax: 202-565-3695).

OMB No. 3048
Expires 1/31/2005

LONG-TERM LOAN OR GUARANTEE APPLICATION

ATTACHMENT G: Credit Information

This attachment applies to all Long-Term Loan or Guarantee Applications, except for Large Aircraft and Project Finance Transactions. Provide the General Information and Supplemental Financial Information requested below (as applicable) on the borrower and, if any, guarantor. If any items are not available, provide an explanation. Following Ex-Im Bank's initial review of the application, an Ex-Im Bank Credit Officer may request additional credit information.

In the event that the borrower lacks sufficient credit strength in terms of asset size, operating history or cash flows to provide a reasonable assurance of repayment, an Ex-Im Bank Credit Officer will contact you to discuss whether "Structured Finance" credit enhancements are appropriate. Such enhancements may include one or more of the following:

- Special purpose accounts, including offshore payment accounts, escrow or reserve accounts, or other accounts that would be subject to Ex-Im Bank's control.
- Covenants and default provisions such as financial ratio or debt service coverage requirements that would, if violated, prevent payment of dividends to the company owners.
- Insurance requirements that might be more strict than those typically applicable under corporate insurance policies.
- Letters of credit or other sources of funds that would be pledged by the sponsor to Ex-Im Bank through a bank or other third party.

GENERAL INFORMATION

1. **Company description and ownership**. Provide a concise description of company origin, legal status, facilities, business activities (and any major changes during the last three years), and primary market(s). Describe the principal customer base (e.g., manufacturers, wholesalers) and provide the percentage of domestic versus export sales and the amount of sales to each major export market. Provide the name and address of each owner of at least 10% of company shares and his/her ownership percent.

2. **Related party information**. Provide the names and description of subsidiaries, affiliates and commonly owned companies. Indicate which, if any, of these related parties account for more than 25% of the borrower's sales or purchases during the last fiscal year.

3. **References**.

   a. Bank references. Provide a creditor bank reference prepared within six months of the application date. A bank reference is not required for sovereign or political risk transactions. Report should include bank name, address, length of relationship, amount, currency, terms of secured and unsecured credit and repayment experience.

   b. Credit Report: Provide a credit report (such as D and B) prepared within six months of the application date. Not required for sovereign or financial institution transactions.

4. **Financial Statements**. Provide independently audited balance sheets, income statements and cash flow statements, in English, for the last three fiscal years. Include the auditor's notes to the financial statements. If the most recent fiscal year ended more than nine months prior to the application date, provide interim statements. When interim statements are provided, also provide interim statements for the same period of the previous year (for comparative purposes). If there are substantial related party transactions as described in #2, the financial statements must adequately disclose the consolidated financial condition of the borrower/guarantor and the named related parties. Financial statements are not required for sovereign or political risk transactions.

5. **Financial projections**. Provide projected annual income statement, balance sheet and cash flow forecasts for the period of the Ex-Im Bank financing, accompanied by supporting assumptions. Projections are not required if the borrower or guarantor is a financial institution, or for sovereign or political risk transactions.

OMB No. 3048
Expires 1/31/2005

LONG-TERM LOAN OR GUARANTEE APPLICATION

ATTACHMENT G: Credit Information

6. **Market indications**. Provide debt ratings assigned by Standard and Poor's, Moody's, Fitch-IBCA and Duff & Phelps, as well as other international and local rating agencies. Include the debt rating reports issued by the rating agency, and if applicable, the prospectus for debt or equity offered during the two years prior to the application date.

7. **Credit Agreement Information**. Provide a summary of the covenants, events of default, security interest and inter-creditor arrangements for existing creditors of the borrower or other entity considered to be the primary source of repayment.

SUPPLEMENTAL FINANCIAL INFORMATION

This information is required for comprehensive-cover transactions where the primary source of repayment is not a financial institution or a sovereign entity. Provide the information requested below on the borrower or guarantor that is designated as the primary source of repayment in accordance with the following guidance:

- if the requested information is provided in the notes to the financial statements, refer to the notes and indicate the note number.
- if the requested information is provided in a credit write-up that is enclosed, refer to the write-up and indicate the page number.
- unless otherwise indicated, provide information for each fiscal year for which financial statements are submitted.
- Items regarding changes in amounts or percentages refer to changes measured in U.S. dollars.
- a "change" means any change, either an increase or a decrease.

Operating Performance

1. Describe the expected operational and financial impact of the goods and/or services being purchased.
2. If any customer accounted for more than 25% of sales revenue in the last fiscal year, provide the customer's name, industry, percentage of revenue, length of relationship, sales terms, and whether or not the customer is a related or commonly owned entity.
3. If sales revenue changed by more than 15%, provide reasons.
4. Provide the level of production (in units) for principal product lines for each fiscal year and, if the production level changed by more than 15%, provide reasons.
5. For each component of cost of goods sold for the last fiscal year, provide the component type, amount, origin (domestic or foreign), and range of terms offered by suppliers.
6. If cost of goods sold as a percentage of sales revenue changed by more than 5%, provide reasons.
7. If any non-operating expense (other than interest or income taxes) represented more than 20% of operating profit, describe the expense.
8. If an operating loss or a net loss was incurred, provide reasons.

Balance Sheet

9. If total investments were more than 15% of total assets at the end of the last fiscal year, provide for each investment the type, amount, currency, security issuer, and/or company owned.
10. If there has been a change of more than 20% in receivables days-on-hand, provide the reasons and the range of terms granted for trade receivables.
11. If aggregate related company receivables, commonly owned company receivables, and non-trade related receivables exceeded 15% of total assets, provide the amount and purpose of each category of receivables.
12. If inventory was more than 20% of total assets at the end of the last fiscal year and/or inventory days-on-hand increased more than 20%, provide reasons.
13. If payables days-on-hand increased more than 20%, provide reasons and the terms granted by each supplier that represented more than 20% of payables.
14. If capital expenditures anticipated during the next 2 fiscal years exceed 15% of net fixed assets at the end of the last fiscal year, provide the amount, purpose, and financing plans for the capital expenditures.

OMB No. 3048
Expires 1/31/2005

LONG-TERM LOAN OR GUARANTEE APPLICATION

ATTACHMENT G: Credit Information

15. Provide the source, amount, currency, terms, and security/guarantees for credit lines available from financial institutions and credits owed to financial institutions.

16. Provide the aggregate amount of principal maturities due to all creditors in each of the next five fiscal years.

17. Provide the source, amount, and dates of equity cash infusions in each of the last three fiscal years and anticipated during the next fiscal year.

18. If any asset, liability, or equity account represented more than 15% of total assets and has not been previously described, provide the amount and a description of the account.

Off Balance Sheet Items

19. If the aggregate amount of contingent/off balance sheet items was more than 10% of total assets at the end of the last fiscal year, provide a description of the items.

Interim Statements

20. Explain any material changes in the interim financial statements relative to the statements for the last fiscal year.

Subsequent Events

21. Provide details of events subsequent to the end of the last fiscal year that could have a material effect on the creditworthiness of the company, and plans to deal with any material adverse changes.

OMB No. 3048-0013
Expires 1/31/2005

LONG TERM LOAN OR GUARANTEE APPLICATION

ATTACHMENT H: Co-Financing with Foreign Export Credit Agency

I. Parties:

Identify the name of the co-financing Foreign Export Credit Agency, and if known, the contact person(s), their phone and fax numbers, and e-mail addresses:

_____
_____
_____

Describe any relationships between any of the parties in the transaction except as described in Attachment G, Credit Information or 6.j) of EIB92-48:

_____
_____
_____

II. U.S. Supply Contract/Purchase Order Information in Dollars:

U.S. Content included in Supply Contract(s)	$_____
Eligible Foreign Content included in Supply Contract(s)	$_____
Local Costs (if any) included in Supply Contract(s)	$_____
Ancillary Services (if any)	$_____
Total Export-Import Bank Portion	$_____

III. Non-U.S. Exporter/Supplier Information:

Non-U.S. Exporter(s)/Supplier(s) With Address and Country of Origin	Description of their Goods and Services
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Non-U.S. Supply Contract(s)/Purchase Order(s) Information in Dollars

Foreign ECA Content included in Supply Contract(s)	$_____
Eligible Foreign Content included in Supply Contract(s)	$_____
Local Costs (if any) included in Supply Contract(s)	$_____
Other Services (if any) not included in Supply Contract(s)	$_____
Total Foreign ECA Portion	$_____

IB Form 95-10 (attachment H)
Revised 1/05

LONG TERM LOAN OR GUARANTEE APPLICATION

ATTACHMENT H: Co-Financing with Foreign Export Credit Agency

IV. Financed Amount Requested (excluding Exposure Fee):

This chart is to be completed with respect to those Goods and Services included in the Supply Contract(s) for which financing is requested from Ex-Im Bank. See Foreign Content Policy for Medium- and Long-Term Exports: http://www.exim.gov/pub/pdf/ebd-m-04a.pdf

	Ex-Im Bank	Foreign ECA	Total Financed/Insured
1. Content Sourced in the ECA Country	$	$	$
2. Eligible Foreign Content			
3. Ancillary/Other Services (if any)			
4. Less Cash Payment	( )	( )	( )
5. Local Costs (if any)			
Total Financed/Insured Amount Requested (excluding Exposure Fee/Insurance Premium)			

V. Other Information:

Describe any non-ECA financing for the Supply Contract(s):

_____

_____

Certification:

The applicant consents and certifies that it has obtained the consent of the other transaction participants to the disclosure by Ex-Im Bank of any information relating to this transaction to the co-financing Foreign Export Credit Agency, to the extent permitted by applicable law.

Signed _____ Dated _____

Print Name: _____

Title: _____

Firm Name: _____

IB Form 95-10 (attachment H)
Revised 1/05

[FR Doc. 05–2110 Filed 2–2–05; 8:45 am]

BILLING CODE 6690–01–C

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

PREVIOUSLY ANNOUNCED DATE AND TIME: Tuesday, January 25, 2005, 10 a.m. meeting closed to the public. This meeting was cancelled.

* * * * *

DATE AND TIME: Tuesday, February 8, 2005, at 10 a.m.

PLACE: 999 E Street, NW., Washington, DC.

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. 437g.

Audits conducted pursuant to 2 U.S.C. 437g, 438(b), and title 26, U.S.C.

Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

* * * * *

FOR FURTHER INFORMATION CONTACT: Mr. Robert Biersack, Press Officer, telephone (202) 694–1220.

Mary W. Dove,

Secretary of the Commission.

[FR Doc. 05–2206 Filed 2–1–05; 2:19 pm]

BILLING CODE 6715–01–M

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than February 17, 2005.

A. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166–2034:

1. Joel H. Porter, Memphis, Tennessee, and John S. Shepherd, Collierville, Tennessee; John S. Wilder, Mason,Tennessee; James L. Rout, Jr., Memphis, Tennessee; Herbert T. Brooks, Jr., Collierville, Tennessee; R. Todd Vanderpool, Cordova, Tennessee; Randal Lankford, Ripley, Tennessee; Frank Inman, Jr., Memphis, Tennessee; Jimmy A. Lott, Collierville, Tennessee; Raymond E. Smith, Collierville,Tennessee; Herman W. Cox, Collierville, Tennessee; Philip C. Fons, Memphis, Tennessee; Gene Mathis, Memphis, Tennessee; Earl A. Richmond, Carthage, Tennessee; Robert L. Harbin, Rome, Georgia; and Crawford McDonald, Memphis, Tennessee (acting in concert); to acquire voting shares of BankTennessee, Collierville, Tennessee.

B. Federal Reserve Bank of Kansas City (Donna J. Ward, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198–0001:

1. Shawn D. Penner, Wichita, Kansas, individually, and as general partner of Shamrock Partners, L.P., Wichita, Kansas; to retain voting shares of Equity Bancshares, Inc., and thereby indirectly retain voting shares of Equity Bank, A National Association, both of Andover, Kansas.

Board of Governors of the Federal Reserve System, January 28, 2005.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. 05–2018 Filed 2–2–05; 8:45 am]

BILLING CODE 6210–01–S

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at *www.ffiec.gov/nic/*.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than February 28, 2005.

A. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166–2034:

1. First National Bancorp, Inc., Green Forest, Arkansas; to acquire 9.9 percent of the voting shares of Legacy National Bank, Springdale, Arkansas (in formation).

Board of Governors of the Federal Reserve System, January 28, 2005.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. 05–2019 Filed 2–2–05; 8:45 am]

BILLING CODE 6210–01–S

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the