# DOMESTIC FINANCE TRANSACTIONS

## I. Domestic Finance

Domestic finance refers to medium- and long-term loans, guarantees, and insurance transactions with borrowers, buyers and /or end-users located in the United States of America. Such transactions may be structured in a variety of ways, depending on the transaction and related risks (e.g., project finance, corporate credit, asset-backed). This attachment identifies information that EXIM requires for all domestic finance transactions. Depending on the transaction's financing structure , EXIM may require additional information (Attachment F (Form EIB 95-10f): Foreign and Domestic Project Finance and/or for Structured or Corporate Finance, Attachment G (Form EIB 95-10g): Credit Information).

EXIM's financing will generally be no more than 80% of a project's total costs and maybe less. For project finance transactions, EXIM will require additional equity finance as appropriate for the project.

## II. Domestic Finance Specific Information

### A. Export Nexus

Eligible domestic projects must have an export nexus. For small businesses[1], transformational export areas, and environmentally beneficial transactions, that export nexus (defined below) is 15%. All other transactions have a 25% export nexus.

The term "export nexus" refers to the amount (measured in either units of production or dollar value) of a borrower's production or capacity that will be related to exports. Examples include:

1) 25% of a financed factory's production being exported;
2) 25% of a financed port's traffic being for export; and
3) 25% of a financed datacenter's services being exported.

Expected export nexus, percentage: _____
Expected average exports, dollar value: _____
Evidence that the export nexus will be met:

_____
_____
_____

Please also attach supporting evidence, such as historical record of sufficient export sales, offtake agreements or other current/anticipated contracts with foreign buyers that reflect sufficient export sales, or business model projections / market studies plans that reflect sufficient export sales.

*For indirect exports[2] only*:

Please identify ultimate exporter(s): _____

*Monitoring*:

EXIM will require annual updates on exports related to EXIM's financing. EXIM will have recourse to require certain actions if the export nexus is ultimately not met and the exporter cannot make a documented case that it has made a good faith effort to meet the nexus. EXIM will determine imposition of relevant specific remedial actions on a case-by-case basis, but such actions may include submitting a written plan to increase exports, evidence assistance from U.S. Government trade promotion agencies, penalty interest rates, and, in egregious

[1] Consistent with EXIM's Charter including women-owned businesses, minority- owned businesses, veteran-owned businesses, businesses owned by persons with disabilities, and businesses in rural areas
[2] "Indirect exports" refers to cases where the borrower is not the exporter, but rather is a supplier to an exporter.

cases, loan pre-payment. EXIM will not impose such remedial actions upon exporters will not be subject to such actions for events outside of their control.

B. Domestic Jobs

EXIM will determine maximum eligible financing based on the job-years supported over the life of EXIM's financing. For projects that establish or expand production capacity, EXIM will consider, at minimum, construction and operating jobs. Indirect jobs at suppliers will not be counted. For transactions that may not result in increased capacity, but otherwise support export performance, EXIM's financing will be limited by the pro-rated share of employment associated exports.

*Established or expanded capacity*

Construction jobs: _____
Operating jobs: _____

*Support Export Performance*

Current Jobs: _____

EXIM will utilize the export nexus provided to establish what percentage of jobs will be considered export-related and to establish the potential maximum amount of financing.

In either case, please be prepared to distinguish between direct employment and jobs that contractors hold (e.g., custodial services, security guards, etc.), and to provide a general description of job types supported (manufacturing, R&D, sales, etc.). EXIM will require annual updates on employment levels over the life of EXIM's financing.

EXIM will, to the extent practical, ask independent consultants and advisors to opine on the reasonableness of jobs estimates. Please provide any information supporting the reasonableness of the jobs estimates, and attach supporting documentation as needed:

_____
_____
_____

EXIM determines the amount of potential financing in its sole discretion and may base this amount on a lower jobs estimate than that provided in response to this application.

C. Imports

Please specify on the domestic acquisition list any goods directly purchased from foreign sources (Section B) specifically for the project (e.g., do not include imported commercial off-the-shelf (COTS) items purchased in the U.S.). Please identify why there was no viable U.S. source for the good or service. Note that for any direct loan, and any guarantee over $20 million or more than seven years, any EXIM-financed goods imported via oceangoing vessel must ship on a U.S. flag vessel or receive a certificate or determination ("waiver") from the Maritime Administration (MARAD). EXIM strongly encourages applicants to reach out to MARAD early during the application process for imported items subject to EXIM's US flag shipping policy.

Please specifically identify the EXIM financing amount expected to be used on imported equipment or other goods: _____ (Respond "not applicable" if EXIM financing will not be used on any imported equipment).

D. Other U.S. Government Credit Agencies

Please identify any other United States Government Credit Agencies you have considered for financing (such as the Small Business Administration, Department of Energy's Loan Program Office, or others). Please explain why such financing was not suitable and identify any contacts you may have had at such federal agency(ies).

_____
_____
_____

In addition, if another federal agency has begun conducting an environmental review or has been established as the "lead Federal Agency" for purposes of compliance with Federal environmental regulatory reviews (e.g., National Environmental Policy Act (NEPA), Endangered Species Act, Historic Preservation Act, etc.), on the proposed project, please identify them and provide contact information:
Agency: _____
Contact: _____

E. Buy America

For-profit private borrowers are generally not subject to Buy America requirements. In certain cases, if EXIM determines an application is to support public infrastructure,[3] Buy America provisions will apply except to the extent that a waiver is available.

III. **Environmental Screening**

As a federal agency, EXIM must comply with Federal environmental regulatory reviews, including the National Environmental Policy Act (NEPA). This screening section will assist EXIM in potentially identifying transactions subject to a categorical exclusion or focus areas for an environmental assessment or environmental impact statement to comply with NEPA obligations. Many questions may not fully apply to a project, and "N/A" is an acceptable response. **Some of the questions in this form are followed with a reference to the applicable federal law in bold and parentheses. These laws are the reason EXIM why asks those specific questions.**

***Detailed Project Description:*** Describe how requested federal funds will be used. What is the amount of requested federal funds ($)? If project involves construction, whether interior or exterior or renovations, please describe in detail. What is currently at the location now, before EXIM financing? What will EXIM financing change at the location?

_____
_____
_____
_____

- ***Size of the Project & Site:*** Please indicate the size (acres) of your project area and how the project will impact the site including roads, right of ways, utilities, or other impacts. Example: Renewable energy solar project should include area (sq. ft,), dimensions (linear ft), number of installed units/panels/buildings, and details regarding any trenching or ground disturbance to be completed. Is there an existing facility/building?

_____
_____
_____
_____

- Will the project involve construction without any ground disturbance? (e.g., internal renovations) **(NEPA (helps with Categorical Exclusion determinations)).**

    - If no ground disturbance is expected, please provide land use, land ownership and description (e.g., industrial, residential, wooded, grasslands, etc.).

    - If ground disturbance is expected, provide descriptive info, including if the project site was previously disturbed (e.g., previous structure, excavation, cultivation).

_____
_____
_____
_____

[3] Public infrastructure projects include the structures, facilities, and equipment for roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property; and structures, facilities, and equipment that generate, transport, and distribute energy including electric vehicle (EV) charging, and projects that serve a public function, including projects that are publicly owned and operated, privately operated on behalf of the public, or are a place of public accommodation. Generally, the recipients of loans for public infrastructure projects are States, local governments, territories, Indian tribes and Institution of Higher Education (IHE) but may include private entities operating projects on the public's behalf.

- Does the location include a building on the national register of historic places, or in the viewshed of such a building? **(National Historic Preservation Act)**

    - If yes, has the State Historic Preservation Office provided its approval or concurrence? https://www.nps.gov/subjects/nationalregister/database-research.htm

_____
_____
_____
_____

- Has the Tribal Directory Assessment Tool (TDAT) been utilized to determine tribes with interests in the county of the project? Have any Tribes or Tribal Historic Preservation Officers' been contacted? If so, when? Were any responses received, if so, provide details of responses and relevant contact information. **(National Historic Preservation Act)**

_____
_____
_____
_____

- Will the project be located within a Historic District? If yes, please provide review/comments/approval from the local town historic district and relevant contact information. **(National Historic Preservation Act)**

_____
_____
_____
_____

- Are there threatened or endangered species or critical habitats within the project area? If present, describe the impact and include the (IPaC) report. **(Endangered Species Act)**

    - If yes, is IPAC report attached?

_____
_____
_____
_____

- Is there potential for the project to significantly impact resources protected by the Marine Mammal Protection Act, Magnuson-Stevens Fishery Conservation and Management Act, and otherwise Federally-protected species (such as the Bald and Golden Eagle Protection Act or the Migratory Bird Treaty Act)? If yes, please explain.

_____
_____
_____
_____

- Will the project involve cutting or trimming trees? If yes, explain in detail below: how many, how large, tree type, etc. **(Endangered Species Act)**
    - If yes, can the applicant / project refrain from cutting, clearing, or trimming trees during habitat critical time frames? Please explain.

_____
_____
_____
_____

- Is the project located in or could the project affect a wetland? Is a wetland map attached? **(Clean Water Act)**
    - If yes, has an Army Corps or other permit been issued for the project site?

_____
_____
_____
_____

- Is the project located in or could the project affect a floodplain (100 or 500-year floodplains)? If yes, please explain and provide a FEMA map. **(Clean Water Act and NEPA)**

_____
_____
_____
_____

- Is the project site on or in the vicinity of classified land, such as State/Federal Parks, Monuments, Natural Landmarks, Wilderness Areas, Wild and Scenic Rivers, State Lands, National Forest, etc.? **(NEPA and National Historic Preservation Act)**
    - If yes, explain and indicate if the land managing agency has been contacted and provide relevant contact information.

_____
_____
_____
_____

- Is the project situated on prime or unique farmland, or other farmland of statewide or local importance? If yes, please explain. **(Farmland Protection Policy Act)**

_____
_____
_____
_____

- Is the project expected to house, store, reclaim, recycle, or involve the handling of hazardous materials, e.g., waste storage, disposal recovery, incineration or waste treatment actions? If yes, explain. (**CERCLA and NEPA)**

_____
_____
_____
_____

- Does the project require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators)? If yes, please explain. **(NEPA, can help with Categorical Exclusion determination)**

_____
_____
_____
_____

- Has a Phase 1 Environmental Site Assessment ESA[4] been prepared for this site? If yes, please explain and attach the Phase 1 ESA. **(CERCLA and NEPA)**

_____
_____
_____
_____

- Does the property contain any areas where regulated hazardous substances or petroleum products appear to have been released? If yes, please explain. **(CERCLA and NEPA)**

_____
_____
_____
_____

[4] An ESA is a report prepared for a real estate holding that identifies potential or existing environmental contamination liabilities.

- Does the property contain an underground storage tank (UST)? If yes, explain and include: type, size, age, date of last state certification. **(CERCLA and NEPA)**

- Does the property contain any aboveground storage tanks (AST)? If yes, are the ASTs in secondary containment? **(CERCLA and NEPA)**

- Will or could the project have any emissions or cause uncontrolled or unpermitted releases of hazardous substances, pollutants, contaminants, petroleum or natural gas products? If yes, please explain. **(Clean Air Act, Clean Water Act, NEPA)**

- Will the project affect any designated Water Resources (Sole Source Aquifers, Well-head protection areas, Watershed Protection Areas, etc.)? If yes, please explain. **(Clean Water Act and NEPA)**

- Is there any controversy that you are aware of about the project for environmental or social reasons? If yes, please explain. **(NEPA and public consultation)**

- Does the project threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or Executive Orders? If yes, please explain.

- Is the subject business facility connected to a municipal wastewater system? If no, describe the existing on-site system, including capacity. If yes, please explain.

- Is the subject business facility connected to a municipal water system? If yes, please explain.

- Is the project located in a county that the Environmental Protection Agency (EPA) has designated as a Non-Attainment or Maintenance for any of the National Ambient Air Quality Standards. If yes, please explain. (Alaska Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants | Green Book | US EPA)? **(Clean Air Act)**

  _____
  _____
  _____
  _____

- Does the project involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species? If yes, please explain. (Unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.)

  _____
  _____
  _____
  _____

- Please include any additional information on all federal, state, and local permits received or applied for that have not already been addressed.

  _____
  _____
  _____
  _____