

SUPPORTING STATEMENT FOR APPROVAL

A. Justification

- 1) The Better Utilization of Investment Leading to Development Act of 2018 (the “BUILD Act”), P.L. 115-254, requires DFC to “ensure that support provided by the Corporation...does not have a significant adverse impact on United States employment.”(P.L. 115-254, Sec. 1452 (b)(3)) DFC-012 is to be used on an as needed basis to collect information about potential exports of DFC-supported projects.
- 2) The information is used by the Office of Investment Policy (“OIP”) to screen out investments that may have a negative impact on the U.S. economy or employment prior to the submission of a full formal application. It is also used to screen downstream investments made by DFC-supported financial intermediaries to ensure that these do not have a negative impact on the U.S. economy or employment. The preliminary screen saves the investor time by identifying investments that DFC is prohibited from supporting prior to completing a full DFC application for support.

The Form 012 is used as a first look at potential transactions that might seek DFC financial support. The form is not used as an ultimate arbitration of whether DFC support is possible, but rather provides a starting point for DFC’s due diligence analysis in identifying the appropriate sector for analyzing risks and to spot potential risks early on. While it is a self-reported response by the client, these firms would still need to go through the standard DFC due diligence process in order to receive support. Accordingly, there is no need for “enforcement” action as no support has been given. A type of “audit” is done when DFC proceeds with due diligence. Any “misrepresentation,” misunderstanding, or changed circumstances are uncovered through that due diligence process. As an example, if the client stated only that they are in the healthcare sector in the Form 012, but in fact are setting up a facility in making healthcare products that previously came from their factory in the U.S. they are closing, this information would be learned during the underwriting and due diligence process. Finally, this information is not readily available from a link with some other type of audited/enforced data.

- 3) This form is completed with the use of web-based application. This provides a secure and efficient means for applicants to transmit the required information to the agency.
- 4) The information collected is not duplicated elsewhere. The information is not already

available in any other electronic form and would not be requested by another federal agency or lending institution since it is applicable solely to DFC's programs.

- 5) The burden of collecting information does not vary with the size of the business applying for assistance. The information may save the business time by identifying investments that DFC is prohibited from supporting prior to completing a full DFC application for support.
- 6) If the information is not collected: (i) an investor seeking DFC support for an investment that may have a negative impact on the U.S. economy or employment will not be informed that DFC cannot support the project until after he has submitted a full formal application; and (ii) a DFC-assisted financial intermediary may make an investment that violates DFC's statute on not supporting investments that have a negative impact on U.S. jobs. The information cannot be collected less frequently because will be conducted on an "as-needed" basis or in compliance with contractual obligations for specified investments with a DFC-supported financial intermediary.
- 7) No special circumstances exist that require the information collection to be conducted in a manner inconsistent with the guidelines of the Paperwork Reduction Act or OMB's implementing regulations.
- 8) The first Federal Register notice was published on March 22, 2019 (84 FR 10843). The agency did not receive any public comments. The second Federal Register Notice was published on June 21, 2019 (84 FR 29249).
- 9) No payments or gifts are offered to respondents.
- 10) When trade secrets or confidential commercial or financial information are submitted to the agency in this collection, they will be held in confidence to the extent permitted by applicable law including the Freedom of Information Act ("FOIA") at 5 U.S.C. section 552(b)(4) and the agency's implementing regulations at 22 C.F.R. Part 706.
- 11) Not applicable. None of the questions on this form are of a sensitive nature.
- 12) The estimated burden of collecting this information is as follows:

100 respondents
x 1 per respondents
100 total annual responses
x 1.5 hour per response
150 Respondent Hours
x \$75 for personnel, record-keeping, overhead
= \$11,250 Total Cost to Respondents

Respondents only complete the form once per request for DFC project support.

13) The estimated annualized cost to respondent is as follows:

Total capital and start-up costs: \$0

Total operation and maintenance cost: \$0

All costs associated with this form are part of the normal cost of doing business. Since all submissions will be electronic and stored on DFC's secure servers, there will be no postage or storage costs.

14) The estimated annualized cost to the Federal government is as follows:

100	responses per year
x 1	per respondent
100	total annual responses
x 1.0	average hours to review one response
100	total federal hours
x <u>\$56.15</u>	<u>GS-14/1 hourly wage</u>
<u>\$5,615</u>	total cost to the Federal government

15) This is a new information collection.

16) Not applicable. Information provided in the form is not published.

17) Not applicable. The OMB expiration date will be printed on each copy of the form.

18) Not applicable. No exceptions are being requested on the certification statement.