

Comment #	Organization	Section	Reference Text	Comment	Topic	Y/N	DFC Management Response
1	DOL/ILAB	6.1.6.	(3) meet with Project and Subproject management and Project Affected People, including Workers.	Welcome this as a useful contractual step	Acknowledgment	NA	Noted, thank you.
2	GLI-ILRF	2.3.2	Projects that involve new facilities or business activities must be designed to meet the Applicable Standards.	We applaud the ESPP provision requiring that projects involving new facilities be designed to meet the Applicable Standards (§ 2.3.2). This requirement is crucial to ensuring that DFC investments exert a long-term influence towards rights-respecting management practices.	Acknowledgment	NA	Noted, thank you.
3	IRMA	7.0.4.	All DFC Agreements include contractual language that addresses Internationally Recognized Worker Rights in substantially the following form (as outlined in Section 1451(d)(2) of the Build Act of 2018): The person receiving support agrees not to take actions to prevent employees of the foreign enterprise from lawfully exercising their right of association and their right to organize and bargain collectively. The person further agrees to observe applicable laws relating to a minimum age for employment of children, acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety, and not to use forced labor or the worst forms of child labor (as defined in section 507 of the Trade Act of 1974 (19 U.S.C. 2467)). The person is not responsible under this paragraph for the actions of a foreign government.	Yes—incidentally important to elaborate here.	Acknowledgment	NA	Noted, thank you.
4	DOL/ILAB	2.3.1.	The Environmental and Social Requirements apply to all Project-related activities including those carried out by on-site contractors and sub-contractors of the Project that work for a substantial duration of time on the Project or are material to the core business processes of the Project. Clients are responsible for ensuring that on-site contractors and sub-contractors meet the requirements.	Welcome the clarification that contractors that are entities engaged on the project for substantial time, to avoid any attempts to misuse 'core business processes' to exclude some workers from protection.	Acknowledgment	NA	Noted, thank you.
5	DOL/ILAB	2.4.5.	Clients must provide relevant information on suppliers throughout the tiers of the Project's Supply Chain in sectors considered to be at high risk for these issues.	Welcome the clear language on information about suppliers *throughout* supply chains	Acknowledgment	NA	Noted, thank you.
6	IRMA	4.0.6.	For those projects with the potential for significant adverse impacts on Project Affected People, DFC will confirm prior to project approval that there is Broad Community Support for the Project. DFC may rely on support from independent experts to assess Meaningful Consultation and Broad Community Support.	Incredibly important, particularly for industrial-scale mining projects.	Acknowledgment	NA	Noted, thank you. Now, section 4(a)(iv).
7	IRMA	4.1.3. (4.1.7.)	Category C Projects are not required to establish a formal ESMS but are required to have in place appropriate environmental and social policies and procedures that will guide the Project (as described in Performance Standard 1), human resource management systems, and internal and external facing grievance mechanisms.	Yes—grievance mechanisms should be required for all categories of projects, especially for industrial-scale mining and other high risk projects, and should be aligned with the effectiveness criteria outlined in Principle 31 of the United Nations Guiding Principles on Business and Human Rights, which include the need for the mechanism to be: (a) Legitimate, (b) Accessible, (c) Predictable, (d) Equitable, (e) Transparent, (f) Rights-compatible, (g) A source of continuous learning, and (h) Based on engagement and dialogue.	Acknowledgment, Consultation	NA	Noted, thank you.
8	CARE	1.2.1.	Identify disproportionate, gender-specific impacts of the Project and take steps to mitigate the risks of exclusion, discrimination, and harm, including the risk of Gender-Based Violence and Harassment (GBVH)	Appreciate this inclusion.	Acknowledgment, Gender	NA	Noted, thank you.
9	CSO Group	Cover letter		We commend DFC for adding increased references to the heightened social risk vulnerable groups face, the need to respect universal human rights, the need to assess and mitigate gender-specific impacts of projects, and the purpose of stakeholder engagement throughout the draft ESPP. For instance, we positively note that DFC describes in detail the purpose of monitoring site visits, stating that DFC will check for on-the-ground compliance and interact and gather feedback from workers, project affected people, and other stakeholders.	Acknowledgment, Gender	NA	Noted, thank you.

10	CARE	1.2.1.	Promote inclusion and non-discrimination in the Project, particularly with respect to disadvantaged or Vulnerable Groups	Appreciate the inclusion of this component.	Acknowledgment, Gender	NA	Noted, thank you.
11	EarthRights	Letter		We are pleased to see inclusion in section of 1.2.1 of the draft of a clear commitment on non reprisal and retaliation against project stakeholders by DFC and its clients. We believe this commitment sets an important performance standard for the corporation and its clients and sends a clear signal to project stakeholders, particularly human rights defenders who currently face a global crisis of violence and threats directed at them. We note that inclusion of this provision puts DFC policy in line with that of other development finance institutions, including the International Finance Corporation. Additionally, the OECD is also now revising its Guidelines on Multinational Enterprises and is expected to include language related to this issue.	Acknowledgment, Non-retaliation	NA	Noted, thank you.
12	CSO Group	C		Tracked Changes: [Added text] Habitats with Threatened and Endemic Species, and Key Biodiversity Areas - Areas with Near Threatened, Vulnerable, Endangered, Critically Endangered, or endemic species, in addition to Key Biodiversity Areas.	Biodiversity	Y	Definitions in Appendix C have been revised to more accurately reflect international best practices for the protection of biodiversity.
13	CSO Group	Cover letter		sustainability of DFC-supported projects,” as stated in this policy’s Statement of Purpose, then the ESPP must explicitly aim to halt and reverse biodiversity loss. To achieve this, it is crucial that DFC: a) anchors anchors its policy in a “no loss” approach and removes references to “no net loss.” This is because a “no net loss” approach does not take a proactive, preemptive approach in conserving biodiversity and thus accelerates biodiversity loss and environmental damages. b) excludes excludes direct and indirect financing to harmful, unsustainable activities which may be located in or impact critical ecosystems. We urge DFC to adopt more exclusion areas as part of the ESPP’s Categorical Prohibitions because a project’s location itself can be a critical factor in causing or exacerbating negative environmental and social impacts. Currently, DFC’s Categorical Prohibitions List includes certain critical areas, such as World Heritage Sites and IUCN protected areas categories I-IV, and primary forests, and can be expanded to protect sensitive areas which are crucial for their biodiversity and climate regulatory value. DFC’s policy can and should go farther. c) adopts adopts the Banks and Biodiversity No Go areas which capture eight sensitive areas and at risk ecosystems in need of urgent protection, including, among others, nationally and internationally recognized areas, habitats of threatened species, primary and vulnerable secondary forests, free flowing rivers, at risk coastal and marine areas, and areas where free prior and informed consent (FPIC) has not been obtained by local and Indigenous communities. These proposed areas have earned nearly 100 endorsements to date, including from civil society organizations and environmental scientists, and are consistent with international trends recognizing the importance of prohibiting harmful investments in sensitive areas, such as the World Heritage Committee and the UN Environment’s Principles for Sustainable Insurance Initiative (PSI).	Biodiversity	N	DFC believes that the most recent list of categorical prohibitions as revised for this version of the ESPP sufficiently covers the relevant threshold issues of risk and harm that have been raised with respect to sensitive ecosystems.
14	TNC	3.1.3.	Below are aspects of Projects that may lead to a higher categorization of environmental or social risk:	It would be go[od] to clearly state that projects with impacts on biodiversity in critical habitat will be categorized as high.	Biodiversity	N	This is not always the case. In instances where scale/scope of impact is minor, this can be addressed with a good Biodiversity Action Plan.
15	TNC	3.1.3.	Projects that could result in the significant diminishment of priority ecosystem services or social values at a particular site.	what exactly does significant diminishment entail?	Biodiversity	Y	We updated the text in 3(b)(3) to align the word choice with recognized/defined terms.
16	TNC	3.1.3.	Projects that could result in the significant diminishment of priority ecosystem services or social values at a particular site.	What is considered priority ecosystem services? Any negative impact on ecosystem services should be avoided.	Biodiversity	Y	We have added a definition for Ecosystem Services into Section 3(b)(3).
17	TNC	4.1.1.	The Client must demonstrate a sound understanding of the Project and have undergone a process to (1) identify all factors that define the Project’s Area of Influence; (2) identify potential project-related environmental and social risks and impacts , including any disproportionate, gender-specific risks and impacts such as the risks of exclusion, gender discrimination, and risks of harm;	This would best be done in the context of a spatially-explicit land use plan that integrates biodiversity and climate resilience needs and projections. Biodiversity-inclusive spatial plans are required under the Kunming-Montreal global Biodiversity Framework	Biodiversity	N	The United States is not a signatory to the Kunming-Montreal Global Biodiversity Framework. DFC does evaluate project-related biodiversity impacts through a climate lens.

18	TNC	4.2.2.	For any Category A and for some Category B Projects that include existing or operating facilities, DFC requires the submission of a Baseline Audit or targeted study depending on potential environmental and social risks. The purpose of a Baseline Audit or targeted study is to identify past and present concerns, current status of regulatory and Applicable Standards compliance, management systems and performance, as well as potential risks and liabilities of the Project .	What happens with project Category A with large impacts on biodiversity that can not be avoided? Are there compensation mechanisms? Projects that will offset the impacts?	Biodiversity	N	As per the IFC Performance Standards, DFC requires that projects apply the mitigation hierarchy which emphasizes avoidance over compensation.
19	TNC	Ch 9		It is advisable to include a specific chapter on Biodiversity and how investments will be screened, monitored, etc. regarding their impact on biodiversity.	Biodiversity	N	DFC follows the requirements of IFC Performance Standard 6 on Biodiversity, which covers these areas.
20	TNC	9.0.1.	Investments are screened for Climate-related Risks and Climate-related Vulnerability. Investments are screened for alignment with the goals of the Paris Agreement .	Also screen for alignment with the Global Biodiversity Framework and the Task Force on Nature-related Financial Disclosures TNFD (this should also be highlighted in 5.1	Biodiversity	N	The United States is not a signatory to these instruments and as such the DFC would not adopt their requirements as its own.
21	TNC	B	Habitats or other ecosystems which support priority biodiversity features	Explain what these are	Biodiversity	Y	In updating the terms dealing with biodiversity in Appendix C we eliminated "priority biodiversity features" for clarity.
22	TNC	4.2.2	For any Category A and for some Category B Projects that include existing or operating facilities, DFC requires the submission of a Baseline Audit or targeted study depending on potential environmental and social risks. The purpose of a Baseline Audit or targeted study is to identify past and present concerns, current status of regulatory and Applicable Standards compliance, management systems and performance, as well as potential risks and liabilities of the Project .	it would be important to also include Biodiversity Management Plans (BMP) for Cat A projects.	Biodiversity	N	As per the IFC Performance Standards, if the project involves biodiversity impacts, a Biodiversity Management Plan (BMP) would be required.
23	CSO Group	2.4.4.	Projects involving the use of Renewable Biomass as fuel must demonstrate (1) that the fuel was sourced in a sustainable manner,(2) the fuel supply did not result in the conversion of Natural Habitat, Critical Forest Areas or Critical Natural Habitats; and (3) combustion of the Renewable Biomass results in fewer Greenhouse Gas (GHG) emissions than the fossil fuel alternative.	Tracked Changes: Projects involving the use of Renewable Biomass as fuel that are not otherwise categorically prohibited (see Appendix A) must demonstrate (1) that the fuel was sourced in a sustainable manner, i.e. that avoids pollution or degradation of the source ecosystem and retains its primary productivity; (2) the fuel supply did not result in the conversion of Natural Habitat, Critical Forest Areas or Critical Natural Habitats; and (3) combustion of the Renewable Biomass results in fewer Greenhouse Gas (GHG) emissions than the least GHG-intensive fossil fuel alternative.	Biomass	Y	Edits accepted in part.
24	CSO Group	A		Tracked Changes: [Added text] Projects or sub-projects that promote the use of biomass from (1) wood, wood waste materials, or genetically engineered trees, (2) waste-to-energy or solid waste incineration, and (3) methane gas from livestock manure digesters (factory farm gas) .	Biomass	N	DFC follows Intergovernmental Panel on Climate Change accounting systems, which do not currently incorporate a methodology for biogenic emissions.
25	DOL/ILAB	C	Renewable Biomass – Wood and wood processing wastes	Tracked Changes: Renewable Biomass – Wood and wood processing wastes; agricultural crops and waste materials; biogenic materials in municipal solid waste; and animal manure.	Biomass	N	DFC follows Intergovernmental Panel on Climate Change accounting systems, which do not currently incorporate a methodology for biogenic emissions.
26	JP Morgan	2.4.4.	Projects involving the use of Renewable Biomass as fuel must demonstrate (1) that the fuel was sourced in a sustainable manner,(2) the fuel supply did not result in the conversion of Natural Habitat, Critical Forest Areas or Critical Natural Habitats; and (3) combustion of the Renewable Biomass results in fewer Greenhouse Gas (GHG) emissions than the fossil fuel alternative.	Consider inclusion of an additional requirement to demonstrate that “Projects do not compete with food feedstock”	Biomass	Y	Comment accepted.
27	CSO Group	3.1.2.	Projects under consideration for direct DFC support are categorized as Category A, B, or C based on environmental and social risk factors. See Chapter 8 on Financial Intermediaries (FIs) for risk categorization and additional requirements specific to FIs.	Tracked Changes: Projects under consideration for direct DFC support are categorized as Category A, B, or C based on environmental and social risk factors. See Chapter 8 on Financial Intermediaries (FIs) for risk categorization and additional requirements specific to FIs. In order to avert abuse in risk categorization, DFC should err on the side of categorizing a project as the higher level.	Categorization	N	Categorization occurs on a case-by-case basis but the focus of the ESPP is to define overall requirements. The factors that go into the higher or lower categorization is reserved for internal procedures; however, DFC always takes the highest categorization of risk.
28	CSO Group	3.1.2.	Risk Categories Table	Categorization should be kept under review throughout the implementation of a project and change when new impacts and/or contextual risks come to light.	Categorization	N	We agree, project risks can change throughout the implementation. DFC's regular monitoring selection process takes into account contextual or other changes in risk profiles.

29	CSO Group	Cover letter		6) Risk Categorization: OPIC's 2017 Environmental and Social Policy Statement had an additional risk category, Special Consideration, that "may apply to projects that have heightened potential for adverse project-related social risks related to the involvement of or impact on Project Affected People including Workers." DFC deleted this category in the revised ESPP, meaning that potentially less scrutiny is placed on projects that are not classified as Category A but still have heightened potential for adverse impacts on project-affected people. DFC should reinstate the Special Consideration category. Additionally, a serious concern within all DFI projects is projects that do not receive a risk category that adequately accounts for project risks. DFC should be an industry-wide standard setter, pushing other DFIs to improve by assigning appropriate project risk categories and re-evaluating categorization periodically.	Categorization	N	We consider E&S risk holistically. There are several factors, including labor, that would elevate the categorization of risk. DFC always takes the highest categorization of risk.
30	DOL/ILAB	3.1.1.	DFC categorizes Projects based on a preliminary assessment of (1) the potential environmental and social risks and impacts within a Project's Area of Influence in the absence of any required mitigation	Tracked Changes: A World Bank ESRS sets out an environmental risk rating, a social risk rating, and an overall risk rating. ADB does individual risk ratings for environment, resettlement and indigenous peoples. In moving past the Special Consideration procedure, we recommend that DFC take a granular approach drawing upon these MDBs, including establishing a labor risk rating for each project. This helps ensure adequate coverage in cases where high environmental and social/labor risks do not go hand-in-hand.	Categorization	N	We consider E&S risk holistically. There are several factors, including labor, that would elevate the categorization of risk. DFC always takes the highest categorization of risk.
31	TNC	3.1.3.	Contextual Risk factors in the external environment that the Client does not control may further exacerbate the Project's environmental and social risks and lead to a higher risk categorization	This list is a bit scattered from my perspective. It does not include work in conflict sensitive areas, a specific bullet on GBV/SEAH, or areas with political disruption, which seem central.	Categorization	N	These factors are covered in definition of Contextual Risk. Please see definition of Contextual Risk.
32	CSO Group	3.1.3.	Projects that discharge high levels of contaminants (including Greenhouse Gases) into the environment in the absence of adequate pollution controls or sound environmental and social management.	Tracked Changes: Projects that discharge high levels of contaminants (including Greenhouse Gases) into the environment in the absence of 1) of adequate pollution controls sufficient to eliminate measurable risk to human or ecosystem health or 2) sound environmental and social management, consistent with international goals (Sustainable Development Goals, Paris Agreement, etc.) and standards.	Climate	Y	Edits accepted in part.
33	CSO Group	9	Objectives: (1) to support the reduction of Greenhouse Gas emissions associated with Projects;	Tracked Changes: Objectives: (1) to support the elimination or reduction of Greenhouse Gas emissions associated with Projects; (2) to promote energy efficiency and conservation;	Climate	N	100% elimination of GHG emissions cannot feasibly be achieved at this point in time.
34	CSO Group	9.0.2.	DFC is continuing OPIC's commitment to reduce the Direct Emissions associated with Projects in OPIC/DFC's active portfolio by 50 percent over a fifteen-year period (June 30, 2008 – September 30, 2023). ²¹ "Active portfolio" is defined as all insurance contracts in force, equity investments and all guaranty and direct loans with an outstanding principal balance. Annual accounting reports that track this commitment and detail the methodology associated with this commitment may be found on DFC's website. ²²	Tracked Changes: DFC is continuing OPIC's commitment to reduce the Direct Emissions associated with Projects in OPIC/DFC's active portfolio by 50 percent over a fifteen-year period (June 30, 2008 – September 30, 2023). ²⁴ "In addition, DFC will reduce the Direct and Indirect Emissions associated with Projects in OPIC/DFC's portfolio by not less than (i) 60 percent by 2025; and (ii) 100 percent by 2028. "Active portfolio" is defined as all insurance contracts in force, equity investments and all guaranty and direct loans that DFC has provided with an outstanding principal balance. Annual accounting reports that track this commitment and detail the methodology associated with this commitment may be found on DFC's website. ²⁵	Climate	N	The suggestions are not feasible at this point in time.
35	CSO Group	9.0.3.	DFC has committed to achieve net-zero emissions in the DFC lending and investment portfolio by 2040. DFC will track and annually report on portfolio Greenhouse Gas emissions in conformance with The Global Greenhouse Gas Accounting and Reporting Standard for the Financial Industry, as updated periodically by the Partnership for Carbon Accounting Financials (PCAF).	Tracked Changes: DFC has previously committed to achieve net-zero emissions in the DFC lending and investment portfolio by 2040, and is now bringing this commitment forward to 2025 to incentivize clients' climate action consistent with best practice among DFIs. DFC will track and annually report on portfolio Greenhouse Gas emissions in conformance with The Global Greenhouse Gas Accounting and Reporting Standard for the Financial Industry, as updated periodically by the Partnership for Carbon Accounting Financials (PCAF).	Climate	N	The suggestions are not feasible at this point in time.
36	CSO Group	new		Track Changes: Added text] - DFC will fully implement Executive Order 14008: Tackling the Climate Crisis at Home and Abroad (2021) ²⁶ by ending international financing of carbon-intensive fossil fuel-based energy while simultaneously advancing sustainable development and a green recovery, as well as the Glasgow Commitment on ending overseas fossil fuel finance by the end of 2022. (26) https://www.energy.gov/sites/default/files/2021/02/f83/eo-14008-tackling-climate-crisis-home-abroad.pdf	Climate	N	DFC has taken steps to implement E.O. 14008, as described further in its Climate Action Plan, available at https://www.dfc.gov/sites/default/files/media/documents/DFC%20Climate%20Action%20Plan.PDF
37	CSO Group	9.1.3.	As a condition of DFC support, Clients shall quantify the significant Indirect Emissions (Scope 2) associated with off-site production of electricity, steam, heating, or cooling used or purchased by the Project.	Tracked Changes: As a condition of DFC support, Clients shall quantify the significant Indirect Emissions (Scope 2 and Scope 3) associated with off-site production of electricity, steam, heating, or cooling used or purchased by the Project.	Climate	N	In the markets in which DFC works it can be very challenging to obtain Scope 3 data, so DFC will not require it.

38	CSO Group	C	CO2eq – Carbon Dioxide Equivalents are a metric measure used to compare the emissions from various Greenhouse Gases based upon their global warming potential (GWP) over a given timeframe. The carbon dioxide equivalent for a gas is derived by multiplying the tons of the gas by the associated GWP. For example, the 100-year GWP for methane (CH4) is 28 and for nitrous oxide (N2O) 265. This means that the emissions of 1 million metric tons of methane and nitrous oxide are equivalent, respectively, to emissions of 28 million and 265 million metric tons of carbon dioxide.	Tracked Changes: CO2eq – Carbon Dioxide Equivalents are a metric measure used to compare the emissions from various Greenhouse Gases based upon their global warming potential (GWP) over a given timeframe. The carbon dioxide equivalent for a gas is derived by multiplying the tons of the gas by the associated GWP. For example, the 20100 -year GWP for methane (CH4) is 28 and the 100 -year GWP for nitrous oxide (N2O) 265. This means that the emissions of 1 million metric tons of methane and nitrous oxide are equivalent, respectively, to emissions of 28 million and 265 million metric tons of carbon dioxide.	Climate	N	USG policy is default 100 year GWP.
39	CSO Group	C	Indirect Emissions - Emissions that are a consequence of project activities but occur at Project sources owned or controlled by another entity. Indirect Greenhouse Gas emissions result from the generation of purchased or acquired electricity, steam, heating, or cooling consumed by the project.	Tracked Changes: Emissions that are a consequence of project activities but occur at Project sources owned or controlled by another entity. Indirect Greenhouse Gas emissions result from the generation of purchased or acquired electricity, steam, heating, or cooling consumed by the project. Indirect emissions include Scope 2 and Scope 3 emissions.	Climate	N	DFC's terminology on required reporting of indirect emissions is Scope 2. It does not include Scope 3 at this time.
40	IRMA	2.1.	2.1. Minimum Requirements	Add a requirement to assess opportunities to provide nature-based solutions, incorporate concepts of circularity, and address adaptation to climate change, including for industrial-scale mining projects.	Climate	N	DFC assesses physical climate risks in all projects per the requirements of EO 13677 in order to identify opportunities to enhance resilience of projects. To the extent applicable DFC also looks for opportunities to enhance sustainable production and consumption. Nature based solutions do not apply to the entire portfolio, but are an increasingly important focus of DFCs business development efforts.
41	JP Morgan	9.1.3.	As a condition of DFC support, all Projects must quantify and annually report to DFC the Direct Emissions (Scope 1) from their Project.	Consider adding in a statement relating to Scope 3 emissions (e.g. Where appropriate, Projects are encouraged to quantify their upstream and downstream indirect emissions (Scope 3))	Climate	N	DFC will encourage projects to quantify Scope 3 emissions where appropriate.
42	TNC	3.1.3.	Projects that discharge high levels of contaminants (including Greenhouse Gases) into the environment in the absence of adequate pollution controls	I would define what this means in practice for DFC.	Climate	Y	Edits accepted in part.
43	JP Morgan	1.2.	1.2. DFC Commitment to Environmental and Social Sustainability	Suggest that it would also be useful to have a commitment focusing on actions related to climate adaptation / vulnerability.	Climate (adaptation)	Y	The concept of climate resiliency has been added.
44	CSO Group	1.2.1.	Ensure the Project is compatible with low and no-carbon economic development	Tracked Changes: Ensure the Project is compatible with low and preferably no-carbon and methane economic development	Climate (low and no-carbon)	N	DFC believes its low- and no-carbon objectives across emissions sources are adequately captured in the existing language.
45	TNC	1.2.1.	Ensure the Project is compatible with low and no-carbon economic development	Is this based on a set of identifiable metrics?	Climate (low and no-carbon)	N	DFC applies industry standard metrics on climate impacts, which include low, moderate and significant tiers for GHG reduction against the baseline.

46	CARE	4.1.4.	<p>Clients are required to undertake, and provide demonstration of, Meaningful Consultation with Project Affected People and meet the requirements related to Stakeholder engagement of Performance Standard 1. The form and scope of the consultation should be commensurate with the project risks and the nature and scope of the project. Meaningful Consultation must be inclusive, and Stakeholder analysis and engagement should capture the views of diverse groups including women, men, youth, the elderly, displaced, disabled persons, and any other disadvantaged or vulnerable groups. In some contexts, separate engagements with certain groups may be required to obtain different perspectives, priorities and concerns about impacts, mitigation mechanisms and project benefits. For those Projects with the potential for significant adverse impacts on Project Affected People, the Client is also required to demonstrate there is Broad Community Support for the Project.</p>	<p>I would probably suggest that these sessions be conducted more than once throughout the life of the project (not just once at the beginning). Perhaps inclusion of milestone moments where follow-up and validation to ensure that project continues to mitigate harm and has broad community support.</p>	Consultation	N	<p>It is not implied that this is a one-off. IFC guidance already dictates that stakeholder engagement should be regular and ongoing and reflected as such in Stakeholder Engagement Plans.</p>
47	CSO Group	5.2.1.	<p>As per the Performance Standards, Clients are expected to maintain appropriate communication channels with Stakeholders. This communication must be in a language and format that is accessible to Stakeholders, particularly Project Affected People.</p>	<p>Tracked Changes: As per the Performance Standards, Clients are expected to maintain appropriate, regular, and timely communication channels with Stakeholders. This communication must be in appropriate languages and formats that are accessible to Stakeholders, particularly Project Affected People.</p>	Consultation	N	<p>Regular and timely are some of the characteristics DFC considers to be appropriate. The IFC Performance Standards include appropriate requirements and guidance on the expectations for appropriate stakeholder engagement.</p>
48	CSO Group	7.0.2.	<p>At a minimum, all DFC Agreements include standard project requirements to have an overarching environmental and social policy statement, commensurate human resources policies and appropriate internal and external grievance mechanisms. For all Category A and B Projects, Clients are required to establish and maintain an ESMS that meets the requirements in Performance Standard 1. The level of detail and complexity of the ESMS should be risk-based and commensurate with the significance of potential impacts or the severity of the risks of the Project.</p>	<p>Tracked Changes: At a minimum, all DFC Agreements include standard project requirements to have an overarching environmental and social policy statement, commensurate human resources policies and appropriate internal and external grievance mechanisms. External grievance mechanisms shall be gender sensitive, age appropriate, culturally adapted, and established and operate incorporating the UN Guiding Principles on Business and Human Rights' Effectiveness Criteria for non-judicial grievance mechanisms. (21) For all Category A and B Projects, Clients are required to establish and maintain an ESMS that meets the requirements in Performance Standard 1. The level of detail and complexity of the ESMS should be risk-based and, extend across a project's Area of Influence, and and commensurate with the significance of potential impacts or the severity of the risks of the Project. (21) https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf Principle 31. Additionally, external grievance mechanisms will be subject to a periodic independent audit of their effectiveness.</p>	Consultation	N	<p>Please see update to Section 2(b)(2) under Minimum Requirements for added clarification regarding grievance mechanism requirements. The ESPP is not intended to define an exhaustive list of expected characteristics for any component to an ESMS, including grievance mechanism. Clients should refer to various resource materials available on international best practice in their ESMS design. DFC interprets IFC Performance Standards requirements of Environmental and Social Management Systems (ESMS) to include the project's area of influence so we do not consider this addition to be necessary.</p>
49	CSO Group	Cover letter		<p>We encourage DFC to consider the above recommendations and attached redline edits and hold an additional round of consultations after integrating public comments into the revised ESPP. A single-phase consultation process is inadequate for the scale of DFC's review on its ESPP and not aligned with what the U.S. pushes for on similar policy reviews at the MDBs, for instance, the Asian Development Bank's ongoing review of its Safeguards Policy Statement (SPS).</p>	Consultation	N	<p>DFC incorporated feedback from the last ESPP revision process of revising the ESPP to extend opportunities for comment into countries where we operate into the current revision process. We appreciate this feedback and in the future we can consider broadening our consultation approach if there are sufficient resources to support additional engagement efforts.</p>

50	GLJ-ILRF	4.1.4.	<p>Clients are required to undertake, and provide demonstration of, Meaningful Consultation with Project Affected People and meet the requirements related to Stakeholder engagement of Performance Standard 1. The form and scope of the consultation should be commensurate with the project risks and the nature and scope of the project. Meaningful Consultation must be inclusive, and Stakeholder analysis and engagement should capture the views of diverse groups including women, men, youth, the elderly, displaced or disabled persons, and any other disadvantaged or vulnerable groups. In some contexts, separate engagements with certain groups may be required to obtain different perspectives, priorities and concerns about impacts, mitigation mechanisms and project benefits. For those Projects with the potential for significant adverse impacts on Project Affected People, the Client is also required to demonstrate there is Broad Community Support for the Project.</p>	<p>We are encouraged by DFC's emphasis on compliance with the Applicable Standards and client stakeholder engagement. However, we believe that small additions to the ESPP—especially deadlines for beginning stakeholder engagement and achieving compliance—would go a significant way towards ensuring that stakeholder engagement effectively contributes to risk management and compliance. The absence of a deadline for clients' stakeholder engagement efforts, however, gives us the concern that clients will miss their best opportunity to adapt business plans to the realities confronting stakeholders on the ground, who are generally far more familiar with the environmental and social risks posed by individual projects.</p>	Consultation	N	<p>This is appropriately captured in the requirements of the IFC PS on engagement.</p>
51	TNC	5.1.1.	<p>● Description of the Client's consultation with Project Affected People (if applicable)</p>	<p>Where would consultation not be required? Also, grievance process and methods for filing should be listed here.</p>	Consultation	Y	<p>Please see clarification of section 2(b)(2) to underscore requirements for GRMs. The applicability of consultation requirements depends on the nature of the project risks and impacts with respect to project affected people and whether there are externally facing impacts. If there are no adverse environmental and social impacts, consultation is not required.</p>
52	TNC	5.1.3.	<p>For all Category A Projects (including Category A Subprojects), Clients are required to submit to DFC an ESIA and/or Baseline Audit (see Section 4.2.), a local language translation of the executive summary of the ESIA/Baseline Audit (See Paragraph 5.2.4.), and a Stakeholder engagement plan</p>	<p>B projects should also include a stakeholder engagement plan as most will require due diligence.</p>	Consultation	N	<p>These required document submissions is to meet DFC's disclosure requirements of Cat A projects. Apart from our disclosure requirements, as per the IFC Performance Standards, any projects with externally facing impacts will be required to establish and implement appropriate information disclosure and engagement with affected groups and stakeholders.</p>
53	CSO Group	4.1.2.		<p>Grievance mechanism should be designed so that it can be context-specific, inclusive and accessible, empowering, consistently closes the loop, create collective responsibility, is impartial, does no harm, and is appropriately resourced. The IASC guideline for the community-based complaint mechanisms should be adapted and used as the basis for a grievance mechanism that is fit for sexual exploitation and abuse reporting.</p> <p>IASC Best Practice Guide Inter-Agency Community-Based Complaints Mechanisms, 2016 IASC," accessed April 17, 2019, https://interagencystandingcommittee.org/accountability-affected-populations-including-protection-sexual-exploitation-and-abuse/documents-50.</p> <p>Tracked Changes: A description of the project GRM in accordance with 7.0.2grievance mechanism.</p>	Consultation	N	<p>Although we agree conceptually, the ESPP is not meant to have stand-alone, comprehensive guidance on all aspects of potential environmental and social risk. For clarity, we did add emphasis on the requirements with respect to grievance mechanisms in Section 2(b)(2) on Minimum Requirements.</p>

54	TNC	4.1.1.	The Client must demonstrate a sound understanding of the Project and have undergone a process to (1) identify all factors that define the Project's Area of Influence; (2) identify potential project-related environmental and social risks and impacts, including any disproportionate, gender-specific risks and impacts such as the risks of exclusion, gender discrimination, and risks of harm; (3) identify and commit to appropriate mitigation measures including adequate resources for implementation; and (4) identify relevant Project Affected People and other interested Stakeholders that may be directly or indirectly affected by the Project, including groups that may be differentially or disproportionately affected by the Project because of their disadvantaged or vulnerable status. The process of identifying risks, impacts, Area of Influence and Project Affected People shall be adequate, accurate, objective, and appropriate to the severity of Project risks and significance of Project impacts.	This does not include a demonstration of engagement with communities fit to the scope and scale of project activities, FPIC where it applies, avoidance of tenure issues and disputes over rights or tenure, iterative consultation, demonstration of MEL plans, capacity to support implementation demonstrated, and other processes that should be proven per IFC standards.	Consultation	Y	With respect to engagement and FPIC, the point reflects current practice so we added further emphasis. Please see update to Sections 4(a) and 4(b).
55	CSO Group	4.1.2.	A description of the process of Meaningful Consultation, including a Stakeholder engagement plan (if available)	Tracked Changes: A description of the process of stakeholder identification and Meaningful, accessible, inclusive Consultation and/or FPIC process, including a Stakeholder engagement plan (if available), and a description of the outcomes/results of the process of Meaningful Consultation.	Consultation, FPIC	N	Much of this is implied within IFC Performance Standards guidance on consultation.
56	CSO Group	4.1.4.	Clients are required to undertake, and provide demonstration of, Meaningful Consultation with Project Affected People and meet the requirements related to Stakeholder engagement of Performance Standard 1. The form and scope of the consultation should be commensurate with the project risks and the nature and scope of the project. Meaningful Consultation must be inclusive, and Stakeholder analysis and engagement should capture the views of diverse groups including women, men, youth, the elderly, displaced, disabled persons, and any other disadvantaged or vulnerable groups. In some contexts, separate engagements with certain groups may be required to obtain different perspectives, priorities and concerns about impacts, mitigation mechanisms and project benefits. For those Projects with the potential for significant adverse impacts on Project Affected People, the Client is also required to demonstrate there is Broad Community Support for the Project.	Tracked Changes: Meaningful Consultation must be safe, inclusive, including through consultations and materials offered in languages of all groups within the project's area of influence including in accessible formats and Stakeholder analysis and engagement should capture the views of diverse groups including women, men, youth, the elderly, displaced or, disabled persons, Indigenous populations, and any other disadvantaged or vulnerable groups. In some contexts, separate engagements with certain groups may be required to obtain different perspectives, priorities and concerns about impacts, prioritize safety and transparency for marginalized groups, mitigation mechanisms and project benefits. For those Projects with the potential for significant adverse impacts on Project Affected People, the Client is also required to demonstrate there is Broad CommunitySupport for the Project through Meaningful, accessible, inclusive Consultation and a FPIC process. Consultation sessions with the community will be conducted more than once throughout the life of the project. At milestone moments, DFC and clients will conduct follow-up and validation to ensure that the project continues to mitigate harm and has broad community support.	Consultation, FPIC	Y	We incorporated the edits around safety to emphasize this point as well as the clarity on the application of IFC PS 7. We also clarified the scope of monitoring to emphasize the practice of incorporating stakeholder feedback, see Chapter 6.
57	IRMA	6	(2) to evaluate the effectiveness of mitigation measures, action plans, and corrective actions.	based on engagement with and input from stakeholders and rights holders and publicly report on	Consultation, FPIC	Y	Yes, that is the intent with respect to input. Please see the addition in Chapter 6 Objectives.
58	IRMA	4.1.2.	A description of the process of Meaningful Consultation, including a Stakeholder engagement plan (if available)	Community and Stakeholder Engagement and respect for the rights of Indigenous Peoples must be a continuous process over the life of a Project, including industrial-scale mining projects. See IRMA Chapter 1.2 on Community and Stakeholder Engagement and IRMA Chapter 2.2 on Free, Prior and Informed Consent. As outlined in the Rio Declaration and elaborated in the Rio+20 Outcome Document and in alignment with the UN Sustainable Development Goals, projects—including industrial-scale mining projects—should share benefits with communities, aligned with community objectives and based on stakeholder engagement. See more guidance on this topic in IRMA Chapter 2.3. Learn more about how mining can contribute to the UN Sustainable Development Goals from Columbia Center on Sustainable Investment (CCSI) and IRMA.	Consultation, FPIC	N	Noted, thank you.

59	TNC	1.2.1.	Undertake Meaningful Consultation with Project Affected People regarding Project activities, including engagement with Vulnerable Groups	The definition of meaningful consultation in The glossary is very similar to "informed consultation and participation" as used by most agencies overseeing safeguards. - I would suggest using The concept of consultation and free, prior and informed consent. - Agreed on a robust application of FPIC that goes beyond communities with formal rights/recognition as Indigenous Peoples per best practices articulated in TNC's Human rights Guide for Working with Indigenous Peoples and Local Communities.	Consultation, FPIC	N	FPIC is a specifically defined requirement under IFC PS 7. We maintain a separate and broader definition in this case to apply as appropriate per project risk profiles and consultation requirements.
60	CSO Group	4.0.6.	For those projects with the potential for significant adverse impacts on Project Affected People, DFC will confirm prior to project approval that there is Broad Community Support for the Project. DFC may rely on support from independent experts to assess Meaningful Consultation and Broad Community Support.	Tracked Changes: For those projects with the potential for significant adverse impacts on Project Affected People, DFC will confirm prior to project approval through Meaningful Consultation that there is Broad Community Support for the Project by carrying out a meaningful consultation process and/or the process to obtain the Free, Prior and Informed Consent (FPIC) of Indigenous Communities: taking into account ILO Convention No. 169.. DFC may rely on support from independent experts to assess Meaningful Consultation and Broad Community Support. DFC will publish evidence of how they have determined there is Broad Community Support or FPICFree, Prior, and Informed Consent, including evidence of any agreements reached with Project Affected People,	Consultation, FPIC	Y	We incorporated clarity on the application and requirements of IFC PS 7 in Section 4.
61	CSO Group	1.2.1.	Respect Human Rights, Labor Rights, and the rights of Project Affected People	Tracked Changes: Respect Human Rights, Labor Rights, and the rights of Project Affected People, including Indigenous peoples' right to free, prior, and informed consent (FPIC) as well as the individual and collective rights of customary land rights holders; taking into account ILO Convention No. 169.	Consultation, FPIC	N	This text is meant to be applicable across all projects. The requirement of IFC PS 7 on FPIC is considered to be included in this umbrella statement for projects where IFC PS 7 is applicable.
62	CSO Group	2.4.1.	For projects involving the construction and operation of dams that are not otherwise categorically prohibited (See Appendix A), DFC applies screening and environmental and social assessment criteria consistent with international best practice, including the core values and strategic priorities as identified in the 16 November 2000 Report from the World Commission on Dams. Specific factors that are considered in DFC's screening and review of projects involving dams may be found at:	Tracked Changes: For projects involving the construction and operation of dams that are not otherwise categorically prohibited (See Appendix A), DFC applies screening and environmental and social assessment criteria consistent with international best practice, including the core values and strategic priorities as identified in the 16 November 2000 Report from the World Commission on Dams. The emphasis should be on preserving free flowing rivers as they are critical, at risk freshwater ecosystems. Specific factors that are considered in DFC's screening and review of projects involving dams may be found at:	Dams	N	While DFC agrees that at-risk ecosystems can be protected, not all hydropower projects endanger at-risk ecosystems.
63	CSO Group	C		Tracked Changes: [Added text] Free flowing rivers - Rivers that flow undisturbed from their source to mouth, at either the coast, an inland sea or at the confluence with a larger river, without encountering any dams, weirs or barrages and without being hemmed in by dikes or levees.	Dams	N	We do not use this term in the ESPP; therefore it does not require a definition.
64	IRMA	2.4.1.	ICMM Global Industry Standard on Tailings Management	Good to reference GISTM. The reference should include ICMM, UN Environment Programme, and UN Principles for Responsible Investment (UNPRI).	Dams	Y	Comment accepted
65	TNC	2.4.1.	Specific factors that are considered in DFC's screening and review of projects involving dams may be found at: - IFC Good Practice Handbook on Environmental Flows for Hydropower Projects (March 2018) - World Bank Good Practice Note on Dam Safety: New Guidance on Managing Risks Associated with Dams (April 2021) - IFC Good Practice Note: Environmental, Health and Safety Approaches for Hydropower Projects (March 2018) - ICMM Global Industry Standard on Tailings Management	Given the history of displacement related issues with dam projects, I would encourage these projects to automatically trigger involuntary resettlement impact assessments and plans or adoption of guidance specifically on dam related displacement concerns (from the World Bank or other).	Dams	N	If a project is anticipated to cause any involuntary displacement, this would trigger PS 5 and its requirements including the identification of impacts and the development of appropriate plans. An automatic trigger of such assessments in case of no displacement will not be required.

							DFC has developed a separate transparency policy that will guide DFC disclosure and reporting, available at https://www.dfc.gov/our-impact/transparency#:~:text=DFC's%20Transparency%20policy%20outlines%20the,data%20that%20are%20routinely%20disclosed. With respect to disclosure, DFC is working with Publish What You Fund (PWYF) and is aware of their index but does not plan to make further disclosures on this type of data in the short term. However, DFC is developing policies, procedures, and processes designed to increase the volume and quality of data on its website, and also has an email specifically for transparency issues: transparency@dfc.gov .
66	CSO Group	1.2.1.		Tracked Changes (added text): Publicly disclose and share information for Category A and B projects on its website, including stakeholder engagement plans and co-financing data	Disclosure	N	
67	CSO Group	3.0.1.	DFC screens applications as early as possible to identify the risk of adverse environmental and social impacts of proposed projects and determine if a Project is eligible for DFC support	Tracked Changes: DFC screens applications as early as possible to identify the risk of adverse environmental and social impacts of proposed projects, develop robust alternatives analysis, and determine if a Project is eligible for DFC support. DFC will make such screens public.	Disclosure	N	The documents that DFC intends to include for disclosure can be found in Chapter 5.
68	CSO Group	4.1.2.	For Category A and B Projects, the Client should submit one or more documents that describe the following aspects	Tracked Changes: For Category A and B Projects, the Client should submit and disclose one or more documents that describe the following aspects.	Disclosure	N	The documents that DFC intends to include for disclosure can be found in Chapter 5.
69	CSO Group	5.0.1.	Institutional information that is made available on DFC's website includes this ESPP, annual reports, audited financial statements, program handbooks, Board resolutions, claims determinations, arbitral awards, bilateral agreements, ESAs, risk assessments, and annual Greenhouse Gas accounting for DFC's portfolio	Tracked Changes: Institutional information that is made available on DFC's website includes this ESPP, annual reports, audited financial statements, program handbooks, Board resolutions, claims determinations, arbitral awards, bilateral agreements, ESAs, risk assessments, and annual Greenhouse Gas accounting for DFC's portfolio. In cases where DFC exits an investment as a result of client non-adherence to the ESPP, documentation of a 'responsible exit' approach is also made available.	Disclosure	N	This paragraph is intended to guide DFC originated data and information, not the client's information. The documents that DFC intends to include for disclosure can be found in Chapter 5.
70	CSO Group	5.0.3.	5.0.3. DFC provides advance notice and information about potential Projects to be voted on by DFC's Board of Directors to ensure that interested parties are aware in advance of public hearing dates and have sufficient information to prepare for the public hearing	Tracked Changes: DFC provides at least 120 day s advance notice and information about potential Projects to be voted on by DFC's Board of Directors to ensure that interested parties are aware in advance of public hearing dates and have sufficient information to prepare for the public hearing	Disclosure	N	The timelines for disclosure are governed by the policies and procedures of the DFC Board, available at https://www.dfc.gov/sites/default/files/media/documents/BDR21%2805%29BoardPublicEngagementPolicy_0.pdf , and Section 1452(e)(1) of the BUILD Act.
71	CSO Group	5.1.1.	The summaries include the following environmental and social information as appropriate to the nature and scale of the Project and commensurate with the potential environmental and social risks and impacts: -Rationale for environmental and social risk categorization -Environmental and social standards applicable to the Project -Description of the major environmental and social risks and impacts of the Project -Approved alternative pollution prevention and control technologies that meet Performance Standard 3 (if applicable) -Description of action(s) required to achieve compliance with Applicable Standards -Information related to DFC environmental and social due diligence visits (if applicable) -Description of the Client's consultation with Project Affected People (if applicable)	Tracked Changes: The summaries include the following environmental and social information as appropriate to the nature and scale of the Project and commensurate with the potential environmental and social risks and impacts: -Rationale for environmental and social risk categorization -Environmental and social standards applicable to the Project -Description of the major environmental and social risks and impacts of the Project -Approved alternative pollution prevention and control technologies that meet Performance Standard 3 (if applicable) -Description of action(s) required to achieve compliance with Applicable Standards -Information related to DFC environmental and social due diligence visits (if applicable) - Monitoring data, including summaries of third-party audits (conducted in accordance with 6.0.4) and annual environmental and social reports (conducted in accordance with 6.1.3) -Description of the Client's consultation with Project Affected People (and/or FPIC processes and the outcomes of these consultations (if applicable), including demographic information to show which groups and at what level groups have been consulted.) - For Extractive Industry projects, in addition to the standard disclosures, Clients are required to disclose material project-level payments to host governments (e.g. royalties, taxes, profit sharing), the principal contracts with host governments, as well as beneficial ownership information, in line with the Extractive Industries Transparency Initiative (EITI).	Disclosure	N	The ESPP provides broad guidance on how it will consider projects, and DFC is able to incorporate best international practice as applicable to that project. DFC notes that with regard to references to monitoring data, these details are typically not available at the time of DFC investment.
72	CSO Group	5.1.2.	For Projects that require Board approval, DFC provides advance notice by disclosing the project information summaries at least 7 days in advance of the Board meeting or action.	Tracked Changes: For Projects that require Board approval, DFC provides advance notice by disclosing the project information summaries at least 90 days in advance of the Board meeting or action. , and 120 days for Category A projects..	Disclosure	N	The timelines for disclosure are governed by the policies and procedures of the DFC Board, available at https://www.dfc.gov/sites/default/files/media/documents/BDR21%2805%29BoardPublicEngagementPolicy_0.pdf , and Section 1452(e)(1) of the BUILD Act.
73	CSO Group	5.1.3.	DFC will post these documents for disclosure on DFC's website for a public comment period of at least 60 days.	Tracked Changes: DFC will post these documents for disclosure on DFC's website for a public comment period of at least 120 days.	Disclosure	N	The relevant timelines for disclosure are governed by the policies and procedures of the DFC Board and Section 1452(e)(1) of the BUILD Act.

74	CSO Group	5.1.4.	After the 60-day public comment period ends, DFC will post on its website any comments received, as well as DFC management's response, at least 7 days prior to DFC's final decision on whether to support a Project. If no comments are received, DFC may proceed directly to final project approval.	Tracked Changes: After the 120 -day public comment period ends, DFC will post on its website any comments received, as well as DFC management's response, at least 30 days prior to DFC's final decision on whether to support a Project. If no comments are received, DFC may proceed directly to final project approval.	Disclosure	N	The relevant timelines for disclosure are governed by the policies and procedures of the DFC Board and Section 1452(e)(1) of the BUILD Act.
75	CSO Group	5.1.5.	No Category A Project may be approved without this public disclosure, opportunity for public comment, and management response (if needed). Disclosure of documents for public comment does not imply project approval.	Tracked Changes: No Category A or Category B Project may be approved without this public disclosure, opportunity for public comment, and management response (if needed). Disclosure of documents for public comment does not imply project approval.	Disclosure	N	The relevant timelines for disclosure are governed by the policies and procedures of the DFC Board and Section 1452(e)(1) of the BUILD Act.
76	CSO Group	5.2.4.	The Client is required to provide to DFC a local language translation of the executive summary of the ESIA and/or Baseline Audit and make the summary available to Project Affected People in a format that is readily understandable, at a location that is accessible locally to the Project, and tailored to meet the information needs of Project Affected People. The translated summary should be distributed by means that account for the ability of Project Affected People to receive, address and effectively comment on the content. The location of local disclosure by the Client will be disclosed in DFC's initial project summary (see Paragraph 5.1.6.).	Tracked Changes: The Client is required to provide to DFC a local language translation of the executive summary of the ESIA and/or Baseline Audit and make the summary available to Project Affected People in a format that is readily understandable, at a location that is accessible locally to the Project, and tailored to meet the information needs of Project Affected People. The translated summary should be distributed by means that account for the ability of Project Affected People to receive, address and effectively comment on the content. The location of local disclosure by the Client will be disclosed in DFC's initial project summary (see Paragraph 5.1.6.).	Disclosure	N	This is not always feasible. ESIA's include an executive summary/ non-technical summary to serve the purpose of a more compressed and easily accessible summary of the document. This is also aligned with other DFIs.
77	CSO Group	end of Section 6.0.		Track Changes: [Added text] DFC will publicly disclose all project monitoring, midterm, and completion reports, including reports provided to DFC by its applicants.	Disclosure	N	The documents that DFC intends to include for disclosure can be found in Chapter 5.
78	CSO Group	6.1.1.	Clients are required to submit a Development Outcomes Survey (DOS) starting 12 months after receiving DFC support and on an annual basis thereafter. The DOS reporting requirement provides an avenue for DFC to evaluate project data regarding development impact outcomes as well as compliance with DFC's Environmental and Social Requirements.	Tracked Changes: Clients are required to submit and publicly disclose a Development Outcomes Survey (DOS) starting 12 months after receiving DFC support and on an annual basis thereafter. The DOS reporting requirement provides an avenue for DFC to evaluate project data regarding development impact outcomes as well as compliance with DFC's Environmental and Social Requirements.	Disclosure	N	The documents that DFC intends to include for disclosure can be found in Chapter 5.
79	CSO Group	6.1.3.	All Category A and some Category B Projects are required to submit annual environmental and social reports. At a minimum, environmental and social reports must include information on the following:	Tracked Changes: All Category A and some Category B Projects are required to submit and publicly disclose annual environmental and social reports. At a minimum, environmental and social reports must include information on the following:	Disclosure	N	Annual environmental and social reports may contain business confidential information that cannot be publicly disclosed. DFC encourages clients to disclose annual sustainability reports, or equivalents.
80	CSO Group	6.1.4.	Clients are required to submit to DFC the third-party audit reports so DFC can ensure that the audit was conducted in accordance with the agreed scope of work and that the Project is in compliance with the Environmental and Social Requirements contained within the DFC Agreement.	Tracked Changes: Clients are required to submit to DFC and publicly disclose the third-party audit reports so DFC can ensure that the audit was conducted in accordance with the agreed scope of work and that the Project is in compliance with the Environmental and Social Requirements contained within the DFC Agreement.	Disclosure	N	Audit reports may contain business confidential information that cannot be publicly disclosed. DFC encourages clients to disclose annual sustainability reports, or equivalents.

81	CSO Group	Cover letter	and at least what the U.S. requires of the multilateral development banks (MDBs) in which it is a member. As one of the largest shareholders of the MDBs and historically the most vocal advocate for high environmental, social, and accountability standards at the institutions, the U.S. can demonstrate its commitment to sustainable and inclusive development by holding its own development finance institution (DFI) to the same standards it calls on the MDBs to meet. DFC should address the following inconsistencies within the ESPP: a) Section 5.1.3 requires the disclosure of Category A project documents for public comment for 60 days. However, DFC should match the Pelosi Amendment MDB disclosure requirement, which requires U.S. Executive Directors at the MDBs to abstain or vote against any project with significant environmental impacts if an appropriate environmental assessment has not been conducted and made available to the public 120 days before a vote. Shorter disclosure times hinder opportunities for civil society and project-affected communities to have a voice in the approval process. b) IFC requires extractive industry clients to disclose material project payments to host governments (e.g., royalties, taxes, profit sharing) as well as the principal contracts with host governments, as per their Sustainability Policy. However, DFC's revised ESPP does not meet the same standard. c) Section 6.1.2 states that DFC Agreements require "timely notification" to DFC of incidents at project sites resulting in death or adverse impacts on the environment, workers, or project affected people. However, the African Development Bank's recently updated Integrated Safeguards System (ISS) requires notification of similar incidents within three days. DFC's policy should provide a specific time bound requirement for notification of incidents and should match or exceed the standard set in the ISS.	Disclosure	N	The relevant timelines for disclosure are governed by the policies and procedures of the DFC Board and Section 1452(e)(1) of the BUILD Act. Otherwise, the documents that DFC intends to include for disclosure can be found in Chapter 5. DFC is not subject to the requirements of the Pelosi Amendment; however DFC's notification requirements are often equivalent to, and in some cases, earlier than other DFIs.
82	TNC	5.1.1.	The summaries include the following environmental and social information as appropriate to the nature and scale of the Project and commensurate with the potential environmental and social risks and impacts: -Rationale for environmental and social risk categorization -Environmental and social standards applicable to the Project -Description of the major environmental and social risks and impacts of the Project -Approved alternative pollution prevention and control technologies that meet Performance Standard 3 (if applicable) -Description of action(s) required to achieve compliance with Applicable Standards -Information related to DFC environmental and social due diligence visits (if applicable) ESMPs should be published per IFC standards.	Disclosure	N	The documents that DFC intends to include for disclosure can be found in Chapter 5. DFC will disclose alternative pollution control mechanisms that differ from PS 3 requirements.
83	TNC	6.0.	6.0. DFC Responsibilities (Monitoring and Reporting chapter) Disclosure of documents online? Grievance?	Disclosure	N	The documents that DFC intends to include for disclosure can be found in Chapter 5. See also additions and edits throughout the document to emphasize expectations around grievance mechanisms.

84	GLJ-ILRF	10.2.1.	In making its determinations as to whether non-GSP-eligible countries where DFC programs are being offered are taking steps to adopt and implement laws that extend Internationally Recognized Worker Rights to Workers, DFC utilizes a similar petition and review process. Petitions can be submitted to DFC at its public hearings to reexamine whether the status of any such country should be changed on worker rights grounds.	We are concerned that the proposed ESPP and the associated Board of Directors Public Engagement Policy would effectively deny DFC the benefits of the vital information outside stakeholders have to offer when making its project- and country-level assessments. For most projects, the proposed ESPP and the Board's Public Engagement Policy give the public only seven days of notice before the Board votes. Seven days is not sufficient time for external parties to generate and communicate crucial information on labor rights risks and for DFC to incorporate such information into its own project assessment processes. These pre-approval disclosures are particularly vital, as addressing labor rights issues becomes significantly more difficult after project approval. The disclosure timing problem is particularly acute with respect to the documentationintensive process of assessing country-level eligibility. If stakeholders have only seven days of notice that DFC intends to invest in a country that presents labor rights eligibility concerns, they will be unable to assemble the documentation and information needed to provide substantive input on country-level eligibility determinations. Consulting with stakeholders and lengthening the disclosure period may cause delay, in our view, but the delay is well worth it. Ensuring that outside organizations can provide substantive feedback before DFC commits to a project ensures that due diligence officers have the information needed to perform their function and steer DFC clear of costly, reputation-damaging violations of the ESPP. Once DFC has committed to providing support, its ability to influence project conduct is much diminished, and early engagement ensures that the decision to provide support is made with all relevant information to hand.	Disclosure, Consultation, Labor	N	Parties may submit a petition for country eligibility review to any of DFC's public hearings.
85	AFL-CIO	6.1.1.	Clients are required to submit a Development Outcomes Survey (DOS) starting 12 months after receiving DFC support and on an annual basis thereafter. The DOS reporting requirement provides an avenue for DFC to evaluate project data regarding development impact outcomes as well as compliance with DFC's Environmental and Social Requirements.	These reports should include detailed information about the number of jobs created by the project and its quality of work. This information should be verified by workers in the community and compared with original projections.	DOS	N	The DOS contains questions related to project operational employment and employee benefits. The data submitted in the DOS is used to monitor project progress towards meeting projected development impact outcomes.
86	TNC	6.1.1.	Clients are required to submit a Development Outcomes Survey (DOS) starting 12 months after receiving DFC support and on an annual basis thereafter. The DOS reporting requirement provides an avenue for DFC to evaluate project data regarding development impact outcomes as well as compliance with DFC's Environmental and Social Requirements.	Are there templates with articulated requirements for this?	DOS	N	Yes, the Development Outcomes Survey (DOS) is a standard form.
87	CARE	C	Meaningful Consultation - A process that (1) begins early in the project preparation stage and is carried out on an on-going basis throughout the project life cycle;	Needs to specify timeframes	Editorial	N	Expectations on timeframes for this process are captured in the IFC Performance Standards.
88	CSO Group	3	Objectives: (1) to determine eligibility of the Project and Client for DFC support on environmental and social grounds; (2) to determine a risk categorization for the Project based on the nature and magnitude of environmental and social risks and impacts, (3) to identify issues to be investigated in detail in the environmental and social review process; and (4) to determine requirements for documentation, consultation, disclosure, monitoring and reporting.	Language in previous ESPP that should be added back in: including those project impacts that could preclude support	Editorial	Y	Comment accepted.
89	CSO Group	1. Intro	Therefore, DFC investments adhere to high standards and respect the environment, human rights and worker rights.	Tracked Changes: Therefore, DFC investments adhere to high standards and respect the environment, local communities , human rights, women's , and worker rights.	Editorial	N	The ESPP introduction reflects DFC's mission and strategic priorities.
90	CSO Group	1.2.1.	Specifically, DFC expects and will support Clients to:	Tracked Changes: Specifically, DFC requires Clients to:	Editorial	N	This is the intention of this clause already.
91	CSO Group	1.2.1.	Assess the risks of deforestation and other land conversion for investments in infrastructure development, agriculture, land use planning or zoning, and energy siting and generation	Tracked Changes: Assess and mitigate the risks of deforestation and other land conversion for investments in infrastructure development, agriculture, land use planning or zoning, and energy siting and generation	Editorial	Y	Comment accepted
92	CSO Group	1.2.1.	Ensure that Project Affected People are aware of and have access to mechanisms for voicing complaints and seeking remedy for harm	Tracked Changes: Ensure that Project Affected People are aware of, understand the role of , and have access to efficient mechanisms for voicing complaints and seeking remedy for harm	Editorial	N	Added some clarity but otherwise this concept is captured in the requirements of IFC Performance Standards.

93	CSO Group	3.0.3.	During the screening process, DFC reviews the Project's anticipated risks and impacts, its defined Area of Influence, and information on Project Affected People to determine whether the information is adequate, accurate, objective, and appropriate to the size and nature of Project activities. Additional information may be required from the Client and from independent experts.	During the screening process, DFC reviews the Project's anticipated risks and impacts, its defined Area of Influence, and information on Project Affected People to determine whether the information is adequate, accurate, objective, and appropriate to the significance or severity of potential impacts-size-and-nature of Project activities. Additional information may be required from the Client and from independent experts.	Editorial	Y	Comment accepted
94	CSO Group	3.0.4.	In screening Projects, environmental, and social impacts that are direct, indirect, induced, supply-chain related, regional, trans-boundary, associated facilities related, and cumulative are considered. DFC assesses risk at key stages in the Project life cycle including pre-construction, construction, operations, decommissioning, closure, and where applicable, post-closure	Tracked Changes: In screening Projects, environmental, and social, and human rights impacts that are direct, indirect, induced, supply-chain related, regional, trans-boundary, associated facilities related, contextual and cumulative are considered. DFC assesses risk at key stages in the Project life cycle including pre-construction, construction, operations, decommissioning, closure, and where applicable, post-closure and will make such assessments public. DFC will additionally reassess risk upon changes in the project or local context.	Editorial	Y	DFC accepted the addition of "contextual" into the screening criteria as it reflects current practice. DFC did not accept the other edits for the following reasons: we consider human rights within the environmental and social assessment; DFC does not plan to make screening assessments public at this time; and the re-assessment of environmental and social risk through the lifetime of a project is addressed in the intro to Section 6: Monitoring and Reporting.
95	CSO Group	3.1.1.	DFC categorizes Projects based on a preliminary assessment of (1) the potential environmental and social risks and impacts within a Project's Area of Influence in the absence of any required mitigation; (2) the Client's commitment and capacity to effectively manage the environmental and social risks and impacts, including the ability to implement any required mitigation; (3) the potential role of third parties in achievement of successful outcomes; and (4) the scope and profile of Project Affected People, including Workers.	Tracked Changes: DFC categorizes Projects based on a preliminary assessment of (1) the potential environmental and social risks and human rights impacts within a Project's Area of Influence in the absence of any required mitigation; (2) the Client's commitment and capacity to effectively manage the environmental and social risks and impacts, including the ability to implement any required mitigation and comply with DFC Commitment to Environmental and Social Sustainability (section 1.2.) ; (3) the potential role of third parties in achievement of successful outcomes; and (4) the scope and profile of Project Affected People, including Workers.	Editorial	N	This is the intention of this clause already.
96	CSO Group	3.1.3.		Tracked Changes: Below are aspects of Projects that merit may lead to a higher categorization of environmental or social risk:	Editorial	N	This is the intention of this clause already.
97	CSO Group	3.1.3.	Projects in locations, industries, or sectors with greater potential or adverse impacts on Project Affected People and Human Rights, including impacts to land and resources; health and safety; physical and/or economic displacement; demonstrated local opposition; significant in-migration; impacts to cultural heritage; gender-related impacts; or impacts to indigenous peoples or Vulnerable Groups.	Tracked Changes: Projects in locations, industries, or sectors with greater potential for exclusion or adverse impacts on Project Affected People and Human Rights, including impacts to land and resources; health and safety; physical and/or economic displacement; demonstrated local opposition; significant in-migration; impacts to cultural heritage; gender-related impacts; or impacts to indigenous peoples or Vulnerable Groups.	Editorial	N	This is the intention of this clause already.
98	CSO Group	4.0.3.	DFC reviews the available documents related to environmental and social performance of the Project as well as the Client's organizational capacity to assess whether they are adequate to address identified environmental and social risks and impacts and are appropriate to the size and nature of the Project activity. During the review process, DFC will identify the relevant Performance Standards that the Project is required to meet in addition to project-specific conditions and actions required to reach or maintain compliance with the Applicable Standards.	Tracked Changes: DFC reviews the available documents related to environmental and social performance of the Project as well as the Client's organizational capacity to assess whether they are adequate to address identified environmental and social risks and impacts and are appropriate to the significance or severity of potential impacts-size-and-nature of the Project activity. During the review process, DFC will identify the relevant Performance Standards that the Project is required to meet in addition to project-specific conditions and actions required to reach or maintain compliance with the Applicable Standards.	Editorial	Y	Comment accepted. (Now section 4.02)
99	CSO Group	4.0.4.	DFC's review will consider direct, indirect, induced, Supply Chain-related, associated facilities, regional, trans-boundary, and cumulative environmental and social risks and impacts. DFC will also consider and disclose Contextual Risks and their potential to affect the environmental and social risk profile of the Project.	Tracked Changes: DFC's review will consider and disclose direct, indirect, induced, Supply Chain-related, associated facilities, regional, trans-boundary, and cumulative environmental, , and social, and human rights risks and impacts. DFC will also consider and disclose Contextual Risks and their potential to affect the environmental and social risk profile of the Project. These risks will be addressed by following the mitigation hierarchy which requires that such risks first be avoided; residual risks will be minimized and mitigated and impacts compensated for, remedied, or as a last resort where compensation and remedy fail to fully address residual risks and impacts, offset. .	Editorial	N	The substance of the suggested added text is included in the introduction of this section.
100	CSO Group	4.0.8.	As needed, DFC may undertake on-site due diligence visits for higher risk projects and/or engage independent experts for additional support in its review.	Tracked Changes: As needed, DFC will may undertake on-site due diligence visits for Category A and other higher risk projects and/or engage independent experts for additional support in its review.	Editorial	N	DFC always endeavors to undertake site visits, but sometimes in-country security or health restriction situations preclude those visits.

			The Client must demonstrate a sound understanding of the Project and have undergone a process to (1) identify all factors that define the Project's Area of Influence; (2) identify potential project-related environmental and social risks and impacts, including any disproportionate, gender-specific risks and impacts such as the risks of exclusion, gender discrimination, and risks of harm; (3) identify and commit to appropriate mitigation measures including adequate resources for implementation; and (4) identify relevant Project Affected People and other interested Stakeholders that may be directly or indirectly affected by the Project, including groups that may be differentially or disproportionately affected by the Project because of their disadvantaged or vulnerable status. The process of identifying risks, impacts, Area of Influence and Project Affected People shall be adequate, accurate, objective, and appropriate to the severity of Project risks and significance of Project impacts.	Tracked Changes: The Client must demonstrate a sound understanding of the Project and have undergone a process to (1) identify all factors that define the Project's Area of Influence; , including indirect or secondary impacts; (2) identify potential project-related environmental and social risks and impacts , including any disproportionate, gender-specific risks and impacts such as the risks of exclusion, gender discrimination, and risks of harm; (3) identify and commit to appropriate mitigation measures including adequate resources for implementation; and (4) identify relevant Project Affected People and other interested Stakeholders that may be directly or indirectly affected by the Project, including groups that may be differentially or disproportionately affected by the Project because of their disadvantaged or vulnerable status	Editorial	Y	Comment accepted in part.
101	CSO Group	4.1.1.					
102	CSO Group	4.1.2.	Key potential social impacts and risks, including identification and a description of impacts on any Project Affected People and disadvantaged or Vulnerable Groups, as well as gender-related risks and impacts	Tracked Chagnes: Key potential social impacts and risks, including identification and a description of impacts on any Project Affected People and each disadvantaged or Vulnerable Group, as well as gender-related risks and impacts	Editorial	N	This is already implied in the existing text.
103	CSO Group	5.1.6.	At the same time the ESIA and/or Baseline Audit is released for public comment, DFC drafts and posts on its website an initial project summary. The initial project summary outlines: -Project name, location, and description -DFC's initial environmental and social screening and categorization -Description of the anticipated major environmental and social risks and impacts of the Project -Anticipated Applicable Standards -Location of local disclosure of ESIA and/or Baseline Audit	Track Changes: At the same time the ESIA and/or Baseline Audit is released for public comment, DFC drafts and posts on its website an initial project summary. The initial project summary outlines: -Project name, location, and description -DFC's initial environmental and social screening and categorization -Description of the anticipated major environmental and social risks and impacts of the Project, including anticipated impacts on Project Affected People -Anticipated Applicable Standards -Location of local disclosure of ESIA and/or Baseline Audit	Editorial	N	This is already implied in the existing text.
104	CSO Group	5.2.3.	ESIAs, Baseline Audits and any other environmental and social documents requested by DFC that are submitted for public disclosure must be in English or accompanied by an English language translation.	Tracked Chagnes: ESIAs, Baseline Audits (including labor and social audits) and any other environmental and social documents requested by DFC that are submitted for public disclosure must be in English or accompanied by an English language translation.	Editorial	N	Baseline audits include social and labor audits and/or these types of audits would be included as part of "any other environmental and social documents."
105	CSO Group	6.1.5.	In the event that monitoring by DFC, DFC's independent experts, or third-party audits finds gaps in the Project's or Client's compliance with the Environmental and Social Requirements of the DFC Agreement, Clients will be required to implement corrective actions within a timeframe that is reasonable and feasible as determined by DFC in order to achieve compliance and to provide DFC with periodic updates on implementation. The Client may be subject to additional monitoring by DFC or its independent experts to ensure corrective actions are adequately implemented and that compliance has been achieved and maintained.	Tracked Changes: In the event that monitoring by DFC, DFC's independent experts, or third-party audits finds gaps in the Project's or Client's compliance with the Environmental and Social Requirements of the DFC Agreement, Clients will be required to implement develop corrective action plans in consultation with DFC and affected communities, and implement all agreed corrective actions within a timeframe that is reasonable and feasible as determined by DFC in order to achieve compliance and to provide DFC and affected communities with periodic updates (normally quarterly, but no less than every six months) on implementation. The Client may be subject to additional monitoring by DFC or its independent experts to ensure corrective actions are adequately implemented and that compliance has been achieved and maintained through legally binding contracts.	Editorial	N	This is already implied in the existing text.
106	CSO Group	7	Objectives: (1) to establish specific requirements for environmental and social performance in DFC Agreements; and (2) to define corrective actions in the event such requirements are not met.	Tracked Changes: Objectives: (1) to establish specific requirements for environmental and social performance in DFC Agreements; and (2) to define corrective actions and remedies in the event such requirements are not met.	Editorial	N	Corrective actions are meant to incorporate any remedial actions needed to reach compliance.
107	CSO Group	A	Projects or companies known to be in violation of local applicable law related to environment, social, health, safety, labor, and public disclosure.	Tracked Changes: Projects or companies known to be in violation of local applicable law related to protection of environment, and of social, health, safety, and labor rights, and public disclosure requirements.	Editorial	Y	Comment accepted.

108	CSO Group	C	Area of Influence – The area likely to be affected by: (i) the Project and the Client’s activities and facilities that are directly owned, operated or managed (including by contractors) and that are a component of the Project; (ii) impacts from unplanned but predictable developments caused by the project that may occur later or at a different location; or (iii) indirect project impacts on biodiversity or on ecosystem services upon which Project Affected People’s livelihoods are dependent.	Tracked Changes: Area of Influence – The area potentially likely -to be affected by: (i) the Project and the Client’s activities and facilities that are directly owned, operated or managed (including by contractors) and that are a component of the Project; (ii) impacts from unplanned but predictable developments caused by the project that may occur later or at a different location; or (iii) indirect project impacts on biodiversity or on ecosystem services upon which Project Affected People’s livelihoods are dependent.	Editorial	Y	Comment accepted.
109	CSO Group	C	Energy Intensive Sectors – Projects in the following sectors: aluminum, brewing, cement, mining, corn refining, forest products, glass, metal casting, motor vehicle manufacturing, oil and natural gas production, petroleum refining, pharmaceuticals, pulp and paper, steel and iron, and thermal power.	Tracked Changes: Energy Intensive Sectors – Projects in the following sectors: aluminum, brewing, cement, mining, corn refining, forest products, glass, metal casting, motor vehicle manufacturing, oil and natural gas production, petrochemicals , petroleum refining, pharmaceuticals, pulp and paper, steel and iron, and thermal power.	Editorial	Y	Comment accepted.
110	CSO Group	C	Environmental and Social Impact Assessment (ESIA) – An instrument to identify and assess the potential environmental and social impacts of a proposed project, evaluate alternatives, and design appropriate mitigation, management, monitoring, and reporting measures. The assessment will be based on current and/or recent information, and environmental and social baseline data, including gender disaggregated data, at an appropriate level of detail and using scientifically-sound methodologies. Required for all Projects involving significant, new (greenfield) developments or significant expansion of existing facilities.	Tracked Changes: Environmental and Social Impact Assessment (ESIA) – An instrument to identify and assess the potential environmental and social impacts of a proposed project, evaluate alternatives including renewables for energy projects , and design appropriate mitigation, management, monitoring, and reporting measures. The assessment will be based on current and/or recent information, and environmental and social baseline data, including gender disaggregated data, at an appropriate level of detail and using scientifically-sound methodologies. Required for all Projects involving significant, new (greenfield) developments or significant expansion of existing facilities.	Editorial	N	Where possible given the stage of the project being considered, DFC will also evaluate any renewable or lesser-emitting alternatives for the project.
111	CSO Group	C		Tracked Changes: Project Affected People – Individuals, local communities, indigenous peoples and Workers, including those within the Supply Chain, as well as community-based or worker groups, which are or could be affected by the Project’s Area of Influence, directly or indirectly, including as a result of cumulative impacts. Emphasis should be placed on those who are directly and adversely affected, disadvantaged or vulnerable.	Editorial	Y	Edits accepted.
112	DOL/ILAB	B	Projects that pose significant occupational or community health and safety risks.	In this context, suggest ‘health OR safety’ risks. There are health and safety standards, but a project may pose only safety risks or only health risks.	Editorial	Y	Comment accepted.
113	TNC	1. Intro	The U.S. International Development Finance Corporation (DFC) is the U.S. Government’s development bank. DFC partners with the private sector to support solutions to the most critical challenges facing the developing world today	“governments, NGOs, civil society partners, and the...”	Editorial	N	The ESPP introduction reflects DFC’s mission and strategic priorities.
114	TNC	1. Intro	We invest across sectors including energy, healthcare, critical infrastructure, and technology projects.	Environmental projects?	Editorial	N	The ESPP introduction reflects DFC’s mission and strategic priorities.
115	TNC	1. Intro	DFC believes that environmental and social sustainability is an essential component of the solutions it supports .	I appreciate the simple approach but would encourage an additional one sentence values-based justification. Why is it essential?	Editorial	N	The ESPP introduction reflects DFC’s mission and strategic priorities.
116	TNC	1.0.	The purpose of the Environmental and Social Policy and Procedures (ESPP) is to set out DFC commitments for environmental and social screening, review, risk mitigation and monitoring that will help ensure the environmental and social sustainability of DFC-supported projects.	To ensure*	Editorial	N	DFC cannot control outcomes but can exercise its leverage to influence them, and that is reflected in this paragraph.
117	TNC	1.2.1.	Identify, assess, and avoid adverse environmental and social impacts of the Project and, if such impacts are unavoidable, properly minimize, mitigate, compensate, and/or remedy impacts through application of the mitigation hierarchy	“through the effective application”	Editorial	N	This is the intention of this clause already.
118	TNC	1.2.1.	Respect Human Rights, Labor Rights, and the rights of Project Affected People	This should be higher up on the list. I would encourage you reordering this to prioritize the bullets on human rights and social safeguards over these deforestation and ecosystem-based priorities.	Editorial	N	This list is not prioritized by order.
119	TNC	1.2.1.	Ensure that Project Affected People are aware of and have access to mechanisms for voicing complaints and seeking remedy for harm	“a project-level grievance mechanism”	Editorial	Y	Comment accepted.

120	TNC		Objectives: (1) to specify DFC's required standards of performance necessary to achieve environmentally and socially sustainable outcomes; and (2) to specify additional sector-specific requirements	I would frame this more around identifying and addressing risks, rather than ensuring target outcomes. Safeguards systems screen for risks/impacts first and foremost. Ensuring outcomes is more about the broader approach to implementation and MEL. -I would not just reduce it to a risk analysis. This in fact should be to allow DFI's to achieve positive net outcomes. I would recommend to include both: to reduce risks and achieve positive outcomes. -Agreed.	Editorial	Y	Risk avoidance and environmental and social sustainability are not mutually exclusive; we have updated the text to reflect the focus on both.
121	TNC	2.0.1.	This ESPP adopts, as a standard for the environmental and social review process, the International Finance Corporation's (IFC) Performance Standards on Social and Environmental Sustainability (Performance Standards), and the World Bank Group Environmental, Health and Safety (EHS) Guidelines	"...as the process for the assessment and management of environmental and social risks and impacts" -I would recommend to rephrase this to ensure the adoption of the Standard is still highlighted. ... adopts IFC as a standard for assessment, review and management of environmental and social risks and impacts....	Editorial	Y	Comment accepted.
122	TNC		3. Screening and Categorization	A graphic visualizing the steps DFC requires would be helpful. TNC is happy to provide an example to work from, if requested.	Editorial	N	We welcome examples that have been successful elsewhere. These types of visuals are more appropriate for internal guidelines.
123	TNC	3.0.3.	During the screening process, DFC reviews the Project's anticipated risks and impacts, its defined Area of Influence, and information on Project Affected People to determine whether the information is adequate, accurate, objective, and appropriate to the size and nature of Project activities. Additional information may be required from the Client and from independent experts.	"...Preliminary anticipated risks and impacts"	Editorial	N	This is the intention of this clause already.
124	TNC	3.1.3.	Below are aspects of Projects that may lead to a higher categorization of environmental or social risk:	I might consider putting this in an annex to save some pages.	Editorial	N	Please see Illustrative Category A list in Appendix B.
125	TNC	3.1.3.	Projects in locations, industries, or sectors with greater potential or adverse impacts on Project Affected People and Human Rights, including impacts to land and resources; health and safety; physical and/or economic displacement; demonstrated local opposition; significant in-migration; impacts to cultural heritage; gender-related impacts; or impacts to indigenous peoples or Vulnerable Groups.	Capitalize and move up higher on this list.	Editorial	N	Capitalization is for defined terms. Indigenous peoples are defined in the IFC Performance Standards and thus would be repetitive here. Ordering of the bullet points is not reflective of importance.
126	TNC	4.0.1.	This may involve reviewing a Project's ESIA (See Section 4.2.), its Environmental and Social Management System (ESMS), and/or the Client's relevant policies, plans and procedures	It should involve	Editorial	N	The BUILD act only requires ESIA for highest risk projects (Category A).
127	TNC	4.0.4.	DFC's review will consider direct, indirect, induced, Supply Chain-related, associated facilities, regional, trans-boundary, and cumulative environmental and social risks and impacts. DFC will also consider Contextual Risks and their potential to affect the environmental and social risk profile of the Project.	This is the repetition of 4.0.2	Editorial	Y	Noted, thank you. Deleted the repeated text.
128	CSO Group	8.1.2.	DFC determines the environmental and social risk categorization for FI Transactions. The environmental and social risk categorization is commensurate with the environmental and social risk profile of the FI's existing or proposed portfolio and considers the type, size, and sector exposure of the Subprojects in the portfolio.	Tracked Changes: DFC determines the environmental and social risk categorization for FI Transactions. The environmental and social risk categorization is commensurate with the environmental and social risk profile of the FI's existing and/or proposed portfolio and considers the type, size, and sector exposure of the Subprojects in the portfolio.	Editorial	Y	DFC will look at a Fund's existing transactions as part of its general diligence, but would examine the specific investment strategy proposed for DFC support when determining categorization.
129	CSO Group	C	Vulnerable Groups definition	Tracked Changes: Vulnerability is context-specific and should be understood through the interplay of three factors: (i) exposure to contextual risks and adverse impacts; (ii) sensitivity to those risks and impacts; and (iii) adaptive capacity.	Editorial	N	This addition is more restrictive/limited than the intention of the text.
130	CSO Group	Cover letter		3)Specificity: We have identified several areas where the ESPP uses vague language, such as "a substantial duration of time" (Section 2.3.1), "time frame considered reasonable and feasible" (Section 3.02), and "require timely notification" (Section 6.1.2). DFC should add greater specificity in line with industry best practices to clarify the ESPP's requirements of itself and its clients.	Editorial	N	The ESPP uses such language because it covers the entirety of the DFC portfolio. In the Project-specific assessments and legal agreements, specific timeframes are determined.
131	TNC	4.1.2.	Key potential environmental impacts and risks, including estimated Direct and Indirect Emissions of Greenhouse Gases	and impacts on biodiversity	Editorial, Biodiversity	Y	Edit accepted.

132	CARE	1.2.1.	Identify disproportionate, gender-specific impacts of the Project and take steps to mitigate the risks of exclusion, discrimination, and harm, including the risk of Gender-Based Violence and Harassment (GBVH)	Tracked Changes: Identify disproportionate and overlapping , gender-specific impacts of the Project and take steps to mitigate the risks of exclusion, discrimination, and harm, including the risk of Gender-Based Violence and Harassment (GBVH)	Editorial, Gender	N	This is already implied in the existing text.
133	CSO Group	C	country, sector, or subnational level) that the Client does not control but which could negatively impact a Project's or Client's ability to meet the Applicable Standards. Risks may be due to current circumstances or systemic, legacy and/or historic issues. Key risk factors may include: -Socially sensitive and/or labor-intensive sectors (e.g., sectors with known labor or human rights violations, risk of child/forced labor, elevated risks of gender discrimination or GBVH, hazardous work, involvement of significant armed security personnel, major environmental and social risks associated with the supply chain and/or sectors that have been subject to recent, documented public opposition) -Broader, socially sensitive context (e.g., political or social conflict, country contexts with reported human rights violations, weak governance systems/enforcement, recent or ongoing humanitarian crisis, restricted civic space/ reprisal risk, relatively higher levels of gender inequality or GBVH, ethnic discrimination/violence, large nearby presence of indigenous peoples and/or Vulnerable Groups) -Residual or unmitigated adverse impacts (e.g., legacy of displacement, inadequate consultation, or unresolved grievances) -Environmental and community health and safety factors (e.g., biodiversity, ecosystem services, and climate change; access to natural resources; health and	Tracked Changes: Key risk factors may include: -Socially sensitive and/or labor-intensive sectors (e.g., sectors with known labor or human rights violations, risk of child/forced labor, hazardous work , elevated risks of work and employment gender-discrimination against Vulnerable Groups or GBVH, hazardous work ; involvement of significant armed security personnel, major environmental and social risks associated with the supply chain and/or sectors that have been subject to recent, documented public opposition) -Broader, socially sensitive historical context (e.g., political, or-social or violent conflict, country contexts with reported human rights violations, weak governance systems, lack of rule of law/enforcement , recent or ongoing humanitarian crisis, war , restricted civic space/ reprisal risk, relatively higher levels of gender inequality or GBVH, ethnic discrimination/violence, large nearby presence of indigenous peoples and/or Vulnerable Groups) -Residual or unmitigated adverse social and environmental impacts including from previous development projects (e.g., legacy of displacement, inadequate consultation, or unresolved grievances) -Environmental and community health and safety factors (e.g., biodiversity, ecosystem services, and climate change; access to natural resources; health and population)	Editorial, Gender	Y	Edits generally accepted. See definition of "Contextual Risk."
134	TNC	1.2.1.	Undertake Meaningful Consultation with Project Affected People regarding Project activities, including engagement with Vulnerable Groups	"prioritized engagement..."	Editorial, Gender	N	This is already implied in the existing text.
135	CARE	3.2.2.	Corporate Investment Projects deemed to be Category A will have the same requirements as for traditional project finance Category A projects including Environmental and Social Impact Assessment (ESIA) /Baseline Audit and disclosure requirements as described in Sections 4.2. and 5.1.	Should be expanded to all projects.	ESIA	N	The BUILD act only requires ESIA for highest risk projects (Category A).
136	CSO Group	4.2.1.	For Projects that involve significant greenfield development or expansions or modifications of existing projects, the Client is required to prepare an ESIA aligned with DFC's Applicable Standards (or other standards deemed equivalent by DFC). ESIA's are required to include a Climate-related Vulnerability assessment (See Chapter 9). This is applicable to all greenfield Category A Projects, and some greenfield Category B Projects.	Tracked Changes: For all Category A and Category B Projects that involve significant greenfield development or expansions or modifications of existing projects , the Client is required to prepare an ESIA aligned with DFC's Applicable Standards (or other standards deemed equivalent by DFC). ESIA's are required to include a Climate-related Vulnerability and double materiality assessment (17) (See Chapter 9). This is applicable to all greenfield Category A Projects, and some greenfield Category B Projects- (17) This means that clients have to assess and report not only on how climate might create risks for the project (climate vulnerability), but also on the project's own impacts on climate and the environment (climate/environmental impact).	ESIA	N	The BUILD act only requires ESIA for highest risk projects (Category A) and the other suggestions are not feasible at this time.
137	CSO Group	4.2.2.	For any Category A and for some Category B Projects that include existing or operating facilities, DFC requires the submission of a Baseline Audit or targeted study depending on potential environmental and social risks.	Tracked Changes: In addition to an ESIA , any Category A and for some Category B Projects that include existing or operating facilities, DFC requires the submission of a Baseline Audit or targeted study depending on potential environmental and social risks.	ESIA	N	The intent of Section 4(c)(i) and 4(c)(ii) is to differentiate what is required in the case that the project is a greenfield (ESIA) or a brownfield (baseline audit) investment. In rare cases where there is both brownfield and greenfield, we would need an ESIA for greenfield AND an baseline audit for brownfield.

138	CSO Group	4.2.3.		Tracked Changes: For lower risk, category B projects that don't fall under Paragraph 4.2.1. and 4.2.2. above, such as those that include modernization and upgrade of existing production facilities or no major expansion or transformations, a limited or focused environmental and social analysis or study may be sufficient.	ESIA	N	DFC dictates the scope and scale of the assessment required.
139	CSO Group	5.1.8.	5.1.8. A Project's ESIA and/or Baseline Audit submitted for disclosure may not contain all of the final negotiated measures to mitigate or remediate environmental and social risks and impacts. DFC's project information summary (see Paragraph 5.1.1.) describes any additional measures required to achieve compliance with the Applicable Standards.	Tracked Changes: A Project's ESIA and/or Baseline Audit submitted for disclosure may not contain all of the final negotiated measures to mitigate or remediate environmental and social risks and impacts. However, DFC will develop official protocol to confirm ESIA's are valid documents that are robust and credible, particularly in cases where external consultants, project developers, and/or local governments create the ESIA. DFC's project information summary (see Paragraph 5.1.1.) describes any additional measures required to achieve compliance with the Applicable Standards.	ESIA	N	This is best suited for internal procedures and guidance.
140	CSO Group	5.2.2.	For Category A Projects, Clients are required to submit to DFC an ESIA and/or Baseline Audit and Stakeholder engagement plan for public disclosure on the DFC website (See Paragraph 5.1.3.).	Tracked Changes: For Category A and Category B Projects, Clients are required to submit to DFC an ESIA and/or Baseline Audit and Stakeholder engagement plan for public disclosure on the DFC website (See Paragraph 5.1.3.).	ESIA	N	The BUILD act only requires ESIA for highest risk projects (Category A).
141	TNC	4.0.1.	This may involve reviewing a Project's ESIA (See Section 4.2.), its Environmental and Social Management System (ESMS), and/or the Client's relevant policies, plans and procedures	Who decides the scope/scale of the ESIA and criteria? It seems that the screening outlines this but there's no note thus far that makes this explicit.	ESIA	N	This is best suited for internal procedures and guidance.
142	TNC	4.2.3.	For lower risk, category B projects that don't fall under Paragraph 4.2.1. and 4.2.2. above, such as those that include modernization and upgrade of existing production facilities or no major expansion or transformations, a limited or focused environmental and social analysis or study may be sufficient.	Does the DFC dictate the scope and scale of assessment required? B projects general include what is called a Limited Scope ESIA if aligned with IFC standards.	ESIA	N	DFC dictates the scope and scale of the assessment required.
143	TNC	5.2.4.	The Client is required to provide to DFC a local language translation of the executive summary of the ESIA and/or Baseline Audit and make the summary available to Project Affected People in a format that is readily understandable, at a location that is accessible locally to the Project, and tailored to meet the information needs of Project Affected People. The translated summary should be distributed by means that account for the ability of Project Affected People to receive, address and effectively comment on the content. The location of local disclosure by the Client will be disclosed in DFC's initial project summary (see Paragraph 5.1.6.).	The IFC standard is disclosure of the full ESIA with readily available and accessible opportunities to provide input into it before its approval.	ESIA	N	DFC discloses the full ESIA on its website to allow for opportunities to provide input. As part of this package, the non-technical summary is translated into the local language(s) and the physical location of these documents in the host country. The ability to provide input before ESIA approvals is dictated by local law. IFC Performance Standards requirements outline the expectations for stakeholder engagement and reflect the points included in the comment. If there are gaps in the engagement method and practice, DFC will require the Project to address those gaps.
144	CSO Group	7.1.3.	In the case of a curable default, corrective actions are generally required by DFC to cure the default. In the case of an incurable default, DFC may exercise contractual remedies including insurance contract termination, acceleration of loan repayment, divestiture of an investment of a DFC-supported investment fund, or sale of a direct equity investment.	Tracked Changes: In the case of a curable default, remediation and corrective actions are generally required by DFC to cure the default. In the case of an incurable default, DFC may exercise contractual remedies including insurance contract termination, acceleration of loan repayment, divestiture of an investment of a DFC-supported investment fund, or sale of a direct equity investment. Upon deciding to terminate a contract, accelerate loan repayment or divest from an investment the DFC will create and disclose a plan for responsible exit from the project in coordination with project affected people. This will ensure remediation and corrective actions are taken to address harms to project affected people before the exit occurs.	Exit	N	DFC is following conversations with fellow DFIs and our stakeholders on the issue of responsible exits. DFC has not identified a policy position at this time.
145	CSO Group	2.1.2.	Performance Standard 1 (Assessment and Management of Environmental and Social Risks and Impacts) and Performance Standard 2 (Labor and Working Conditions) are applicable to all Projects and Clients regardless of their environmental and social risks and impacts. Applicability of the other Performance Standards and any other sector-specific requirements is dependent on the nature of the Project and its environmental and social risks and impacts	Tracked Changes: Performance Standard 1 (Assessment and Management of Environmental and Social Risks and Impacts) and Performance Standard 2 (Labor and Working Conditions) are applicable to all Projects, Subprojects, and Clients regardless of their environmental and social risks and impacts. Applicability of the other Performance Standards and any other sector-specific requirements is dependent on the nature of the Project or Sub-project and its environmental and social risks and impacts	FIs	N	Section 1 includes sub-projects in the applicability of the ESPP requirements.
146	CSO Group	2.1.4.	Where host country requirements differ from the Applicable Standards, the Project is expected to meet whichever are more stringent.	Tracked Changes: Where host country requirements differ from the Applicable Standards, the Project or Sub-Project is expected to meet whichever are more stringent.	FIs	N	Section 1 includes sub-projects in the applicability of the ESPP requirements.

				<p>Tracked Changes: The use of proceeds of the DFC investment is expected to include exposure to business activities with potentially significant adverse environmental or social risks or impacts that are diverse, difficult to reverse irreversible or rare unprecedented in the absence of adequate mitigation measures.</p> <p>FIs that invest in major infrastructure construction, Extractive Industries, or large-scale forestry; lending to micro-, small- and medium-enterprises; and equity investments in banks that have significant portfolio exposure to Extractive Industries or fossil fuel-related infrastructure; FI investments projects affecting Indigenous peoples, their land, and/or livelihoods; RE investments that require land acquisition or resettlement.</p>			
147	CSO Group	Table	Description and Examples Category FI-A (Table)		FIs	Y	Some edits accepted.
148	CSO Group	Table	Description Category FI-B (Table)	<p>Tracked Changes: The use of proceeds of the DFC investment is expected to include exposure to business activities that have limited adverse environmental or social risks and impacts that are few in number, generally site specific, largely reversible reversible and readily addressed through mitigation measures. FI-B subproject environmental and social risks are often characterized as “moderate” or risks that are considered less adverse than Category A risks in terms of magnitude and likelihood of occurrence.</p>	FIs	Y	Corrected the typo, thank you, but otherwise no change.
149	CSO Group	Table	Examples Category FI-C (Table)	<p>Tracked Changes: FIs that invest in tech or tech-enabled investments that do not involve significant physical assets and investments in financial institutions or fund-of-funds. Also applicable to loans to banks where the use of proceeds will involve lending to micro-, small- and medium-enterprises, mortgage and retail banking, leasing of small or light equipment, factoring and insurance.</p>	FIs	N	Client protection risks are being addressed through the development of targeted procedures and are evaluated separately from the environmental and social categorization.
150	CSO Group	8.2.2.	DFC will review and assess: (1) the FI’s existing environmental and social policies and procedures and its capacity to implement them; (2) available environmental and social due diligence or monitoring reports that may illustrate the FI’s prior environmental and social performance; (3) environmental and social risks and impacts associated with the FI’s existing portfolio and expected future Subprojects; and (4) measures necessary to strengthen the FI’s existing Environmental and Social Management System (ESMS).	<p>Tracked Changes: DFC will review and assess: (1) the FI’s existing environmental and social policies and procedures and its capacity to implement them; (2) available environmental and social due diligence or monitoring reports that may illustrate the FI’s prior environmental and social performance; (3) environmental and social risks and impacts associated with the FI’s existing portfolio and expected future Subprojects; and (4) measures necessary to strengthen the FI’s existing Environmental and Social Management System (ESMS); and (5) existence and quality of a grievance and redress mechanism.</p>	FIs	N	This is considered an element of points 1-5 in Section 8(c)(2).
151	CSO Group	8.2.3.	For FI-A and some FI-B Transactions, DFC may conduct on-site due diligence to further evaluate the FI and its management capacity to implement the ESMS. As needed, DFC may engage independent experts for additional support in its due diligence.	<p>Tracked Changes: For FI-A, and some FI-B Transactions, DFC will may conduct on-site due diligence to further evaluate the FI and its management capacity to implement the ESMS. For some FI-B Transactions, DFC may conduct on-site due diligence. As needed, DFC may engage independent experts for additional support in its due diligence.</p>	FIs	N	DFC identifies projects, mode, and frequency of monitoring activities commensurate to the specific risk profile of project.
152	CSO Group	8.2.4.	The FI is required to submit to DFC an ESIA and/or Baseline Audit (See Section 4.2.) and Stakeholder engagement plan for review prior to DFC support for all Category A and some Category B Subprojects, as determined by DFC.	<p>Tracked Changes: The FI is required to submit to DFC an ESIA and/or Baseline Audit (including labor and social audits) (See Section 4.2.) and Stakeholder engagement plan prioritizing right to participation and meaningful consultation of communities throughout the project life cycle for review prior to DFC support for all Category A and some Category B Subprojects, as determined by DFC.</p>	FIs	N	The expectations of stakeholder engagement are captured in the IFC Performance Standards.

153	CSO Group	8.2.5.	DFC will evaluate and monitor the effectiveness of the FI's environmental and social risk management throughout the project lifecycle. This may include review of annual environmental and social reports, communication and meetings with the FI on environmental and social performance of its portfolio and/or on-site monitoring of the Subprojects.	Tracked Changes: DFC will evaluate and monitor the effectiveness of the FI's environmental and social risk management throughout the project lifecycle. This will may include review of annual environmental and social reports, communication and meetings with the FI on environmental and social performance of its portfolio and/or on-site monitoring of the Subprojects.	FIs	N	The is a wide variety of FIs and they come to DFC in various stages of their strategy. DFC needs to maintain flexibility to address cases as most appropriate to their specific risk profile and status.
154	CSO Group	8.3.1.	FI-A and FI-B Transactions are required to establish and maintain an ESMS that meets the requirements of Performance Standard 1. The level of detail and complexity of the ESMS should be commensurate with the potential risks and impacts of the portfolio.	Tracked Changes: FI-A Transactions are required to establish and maintain an ESMS that meets the requirements of all Performance Standards. and FI-B Transactions are required to establish and maintain an ESMS that meets the requirements of Performance Standards 1, 2, 5 and 7 among others, commensurate with the potential risks and impacts of the portfolio. The level of detail and complexity of the ESMS should be commensurate with the potential risks and impacts of the portfolio.	FIs	Y	Updated text to clarify management expectations for FIs. Similarly to other types of investments, as the IFC Performance Standards are triggered the FI needs to be managing those risks in accordance with the requirements of the triggered Performance Standards.
155	CSO Group	8.3.4.	The FI is required to put in place a methodology to track, monitor, and report its Greenhouse Gas emissions at the portfolio level and to provide annual accounting to DFC.	Tracked Changes: The FI is required to put in place a methodology to track, monitor, and report its Greenhouse Gas Scope 1, 2 and 3 emissions at the portfolio level and disaggregated by sector and/or asset class and financial instrument and to provide annual accounting to DFC.	FIs	N	Currently, DFIs are struggling with getting even Scope 1 data.
156	CSO Group	8.3.6.	The FI shall provide DFC with any requested ESIA, environmental and social due diligence reports, monitoring reports, and other environmental and social documentation.	Tracked Changes: The FI shall provide DFC with any requested ESIA, environmental and social due diligence reports, monitoring reports, and other environmental and social documentation., including stakeholder engagement plans, and grievance and redress mechanism policy and procedures, and alternatives assessments.	FIs	Y	Partially accepted edit.
157	CSO Group	8.3.8.		Tracked Changes: All FIs are required encouraged to publish relevant environmental and social policies and performance indicators on their website. This will may include corporate environmental and social policies, a summary of their ESMS, and/or environmental and social performance reports, if available.	FIs	N	The is a wide variety of FIs and they come to DFC in various stages of their strategy. DFC needs to maintain flexibility to address cases as most appropriate to their specific risk profile and status.
158	CSO Group	8.4.1.	For any Subproject determined to be Category A, the FI is required to submit to DFC an ESIA and/or Baseline Audit and Stakeholder engagement plan for the Subproject which are deemed adequate by DFC for disclosure on DFC's website for a public comment period of not less than 60 days. T	Tracked Changes: For any Subproject determined to be Category A and some Category B , the FI is required to submit to DFC an ESIA and/or Baseline Audit and Stakeholder engagement plan for the Subproject which are deemed adequate by DFC for disclosure on DFC's website for a public comment period of not less than 60 days.	FIs	N	DFC is not expanding the BUILD Act disclosure requirements.
159	CSO Group	8.4.2.	FIs are encouraged to list on their website the link to any publicly disclosed ESIA reports for Category A Subprojects.	Tracked Changes: FIs are required encouraged to list on their website the link to any publicly disclosed ESIA reports including stakeholder engagement plans and alternatives assessments for Category A Subprojects. and some Category B Subprojects.	FIs	N	DFC is not expanding the BUILD Act disclosure requirements.
160	CSO Group	Cover letter		5) Financial Intermediaries (FI): DFC must disclose environmental and social impact documents for FIs and subprojects and commit to greater implementation oversight. To date, the undersigned groups have not seen any environmental and social impact documents for subprojects despite the great deal of support that DFC provides to FIs. These FIs have been involved in impact-heavy sectors, such as energy, which should have required the release of environmental and social impact documentation and accounting. This gap demonstrates a concerning disconnect between the ESPP and what policies are applied during implementation. DFC should provide sufficient oversight of FIs to confirm environmental and social impact documents are created and submitted to DFC, then disclose these materials publicly on DFC's website.	FIs	N	DFC has always disclosed Category A subprojects, which is relatively unique among DFIs.
161	TNC	Ch 8	Objectives: (1) to define environmental and social risk categories specific to Financial Intermediaries; (2) to outline approach for DFC's review of Financial Intermediaries and their Subprojects; and (3) to specify requirements for documentation, disclosure and reporting.	You should define the role of the entity managing the FI more clearly and the reporting/management structures you would require from managing entities and FIs. See the IFC/World Bank Performance Standard on Financial Intermediation.	FIs	Y	Structures for FI transactions are very diverse. Reporting and management structures required by DFC must be responsive to the specific structure of each FI including the risks posed by the underlying investment thesis of the FI. Details on how different types of FI structures present and need to be assessed are captured in internal procedures. DFC added some additional text in 8(b)(2) and 8(c)(3) to clarify the expectations and approach.
162	TNC	8.0.2.	The nature of FI Transactions means that FIs assume partial or fully delegated responsibility for environmental and social assessment, risk management and monitoring as well as overall portfolio management	This needs to be fleshed out more. The project lead should be responsible for development of a framework (ESMF) and the FI should create safeguards systems (ESMS) based on the framework for project-level assessment and due diligence guided by the overarching framework.	FIs	Y	There is a wide variety of FIs and they come to DFC in various stages of their strategy. DFC needs to maintain flexibility to address cases as most appropriate to their specific risk profile and status.

163	TNC	8.2.2.	DFC will review and assess: (1) the FI's existing environmental and social policies and procedures and its capacity to implement them; (2) available environmental and social due diligence or monitoring reports that may illustrate the FI's prior environmental and social performance; (3) environmental and social risks and impacts associated with the FI's existing portfolio and expected future Subprojects; and (4) measures necessary to strengthen the FI's existing Environmental and Social Management System (ESMS).	In some cases, capacity will be just as important as prior experience. I would prioritize an assessment of capacity to implement requirements of the ESMF or other due diligence products. What about assessment of human rights, labor, gender, etc. background and competencies?	Fis	Y	Comment accepted.
164	TNC	8.3.1.	FI-A and FI-B Transactions are required to establish and maintain an ESMS that meets the requirements of Performance Standard 1. The level of detail and complexity of the ESMS should be commensurate with	This is typically guided by an ESMF that sets out the basic requirements for the project-level ESMS.	Fis	N	This will be detailed in our operating procedures.
165	TNC	8.4.2.	FIs are encouraged to list on their website the link to any publicly disclosed ESIA reports for Category A Subprojects.	I would encourage the DFC to make a determination whether they want the managing entity or FI responsible for overall management of the project-level grievance. You should articulate a flow of grievance reporting (as well as reporting on all safeguards) through the managing entity and articulate what you would like regarding that.	Fis	N	There is a wide variety of FIs and they come to DFC in various stages of their strategy. DFC needs to maintain flexibility to address cases as most appropriate to their specific risk profile and status.
166	CSO Group	1.0.	This ESPP also includes guidance for what DFC Clients need to prepare, submit, and implement .	Tracked Changes: This ESPP also includes guidance for what DFC Clients and owners of subprojects need to prepare, submit, and implement .	Fis (subproject)	N	Defintion of DFC clients includes Funds' subprojects.
167	CSO Group	2.4.2.2.	All other Projects involving timber extraction from Natural Forests , including all boreal, temperate, and plantation Forests must be certified by an independent non-governmental organization. The purpose of certification is to demonstrate that timber extraction activities are managed sustainably. Certification must be maintained throughout the term of DFC support. The cost of this certification is the responsibility of the Client. Certifiers must be accredited by an international accreditation body that can hold the certifier accountable to a common set of environmental and social principles and procedural protocols, including periodic review and re-accreditation	Tracked Changes: All other Projects involving timber extraction from Natural Forests , including all boreal, temperate, and plantation Forests must be certified by an independent non-governmental organization. The purpose of certification is to demonstrate that timber extraction activities are managed sustainably and should include traceability of wood to the point of harvest . Certification must be maintained throughout the term of DFC support. The cost of this certification is the responsibility of the Client. Certifiers must be accredited by an international accreditation body that can hold the certifier accountable to a common set of environmental and social principles and procedural protocols, including periodic review and re-accreditation	Forests	Y	The point about traceability is covered sufficiently in IFC Performance Standard 6.
168	CSO Group	A	Appendix A Categorical Prohibitions	Tracked Changes: [Added text] Leasing or financing of logging equipment, unless an environmental and social impact assessment indicates that; (i) all timber harvesting operations involved will be conducted in an environmentally sound manner which minimizes forest degradation and destruction; and (ii) the timber harvesting operations will produce positive economic benefits (i.e. net positive after taking into account loss of natural capital) and sustainable forest management systems.	Forests	N	DFC is aware of the environmental risks posed by this sector and considers these issues through the application of this ESPP, which includes avoidance or appropriate mitigation.
169	CSO Group	C	Critical Forest Areas - A type of Natural Forest that qualifies as Critical Natural Habitat. Critical Forest Areas include primary Forests and old growth Forests that may serve as critical carbon sinks.	Tracked Changes: Critical Forest Areas - A type of Natural Forest that qualifies as Critical Natural Habitat. Critical Forest Areas include primary Forests and old growth Forests and vulnerable secondary forests , that may serve as critical carbon sinks.	Forests	Y	The definitions in Appendix C have been revised to reflect current best practice related to protection of biodiversity.
170	CSO Group	C	Critical Natural Habitats - (1) Existing internationally recognized protected areas, areas initially recognized as protected by traditional local communities (e.g., sacred groves), and sites that maintain conditions vital to the viability of protected areas; and (2) sites identified on supplementary lists by authoritative sources identified by DFC. Such sites may include areas recognized by traditional local communities(e.g., sacred groves), areas with known high suitability for biodiversity conservation and sites that are critical for vulnerable, migratory or endangered species. Listings are based on systematic evaluations of such factors as species richness, the degree of endemism, rarity, and vulnerability of component species, representativeness and the integrity of ecosystem processes.	Tracked Changes: Critical Natural Habitats - (1) Existing internationally recognized protected areas, areas initially recognized as protected by traditional local communities, forest-dependent communities and lindigenous peoples (e.g., sacred groves), and sites that maintain conditions vital to the viability of protected areas; and (2) sites identified on supplementary lists by authoritative sources identified by DFC. Such sites may include areas recognized by traditional local communities, forest-dependent communities and lindigenous peoples (e.g., sacred groves), areas with known high suitability for biodiversity conservation and sites that are critical for vulnerable, migratory or endangered species. Listings are based on systematic evaluations of such factors as species richness, the degree of endemism, rarity, and vulnerability of component species, representativeness and the integrity of ecosystem processes.	Forests	Y	The definitions in Appendix C have been revised to reflect current best practice for the protection of biodiversity.

171	CSO Group	C	Natural Forests - Forest lands and associated waterways where the ecosystem's biological communities are formed largely by native plant and animal species and where human activity has not essentially modified the area's primary ecological functions.	Tracked Changes: Natural Forests - A primary forest is a natural forest that is the result of biological and evolutionary processes and that has not been degraded by significant industrial, human driven activities. A key characteristic of primary, natural forests is that mature trees dominate the canopy and contains most or all of its native plant and animal species. Primary, natural forests include all successional age classes (young to old-growth) having no industrial human activities, including primary forests regenerating after wildfire. Primary, natural forests covers a range of related terms including "old growth forest", "ancient forest", "primeval forest", "mature forests", and "intact forest landscapes." Even if a forest has been previously disturbed or logged, if the forest still predominantly functions and retains the key characteristics of a primary forest at its climax, it should still be considered a primary, intact, natural forest and be protected. Vulnerable, secondary forests, which are sometimes termed as "degraded", "regrowth," "young," "regenerating," or "recovering" forests, are forests which are regenerating largely through natural processes after significant human and/or natural disturbance of the original forest vegetation at a single point in time or over an extended period. In protecting the ability of secondary forests to recover and regrow, secondary forests should be considered as vulnerable when at risk of further degradation or destruction by planned or future harmful activities.	Forests	Y	The definitions in Appendix C have been revised to reflect current best practice for the protection of biodiversity.
172	TNC	2.4.2.1.	DFC will not support Projects that directly or indirectly involve the extraction of timber from or the conversion or degradation of Critical Forest Areas or Critical Natural Habitats (See Appendix A).	See comment in A. It is important to clarify what exactly is meant by these areas. I would suggest not just to focus on critical areas but also natural habitats and areas of high biodiversity value	Forests	Y	Edits have been made to the definitions in Appendix C to reflect current best practice for protection of biodiversity.
173	TNC	2.4.2.2.	All other Projects involving timber extraction from Natural Forests , including all boreal, temperate, and plantation Forests must be certified by an independent non-governmental organization. The purpose of certification is to demonstrate that timber extraction activities are managed sustainably. Certification must be maintained throughout the term of DFC support. The cost of this certification is the responsibility of the Client. Certifiers must be accredited by an international accreditation body that can hold the certifier accountable to a common set of environmental and social principles and procedural protocols, including periodic review and re-accreditation	This is not a term from common forestry or forest management practices and would encourage different vocabulary? It sounds like you are talking about primary forests and certain naturally growing secondary forests resembling a primary forest? The way this is written is very open ended and leaves too much for interpretation. The standard should be pinned to well defined sector concepts.	Forests	Y	Edits have been made to the definitions in Appendix C to reflect current best practice for the protection of biodiversity.
174	TNC	2.4.2.2.	All other Projects involving timber extraction from Natural Forests , including all boreal, temperate, and plantation Forests must be certified by an independent non-governmental organization. The purpose of certification is to demonstrate that timber extraction activities are managed sustainably. Certification must be maintained throughout the term of DFC support. The cost of this certification is the responsibility of the Client. Certifiers must be accredited by an international accreditation body that can hold the certifier accountable to a common set of environmental and social principles and procedural protocols, including periodic review and re-accreditation	Certified for what? Sustainability? How do local/national laws and practices factor in? Why specifically an NGO certifying? Would a robust, government sanctioned environmental review suffice? This is vague and could be duplicative.	Forests	N	DFC evaluates certification schemes to make sure evaluation criteria address both environmental and social sustainability. In some countries local law does not address all elements critical for sustainability.
175	TNC	2.4.2.2.	Certifiers must be accredited by an international accreditation body that can hold the certifier accountable to a common set of environmental and social principles and procedural protocols, including periodic review and re-accreditation (11)	It would be good to have a list of approved certifiers.	Forests	N	We appreciate the comment, but cannot include a list of certifiers in this document as that list would need to be updated regularly.

176	IRMA	2.1.2.	Performance Standard 1 (Assessment and Management of Environmental and Social Risks and Impacts) and Performance Standard 2 (Labor and Working Conditions) are applicable to all Projects and Clients regardless of their environmental and social risks and impacts. Applicability of the other Performance Standards and any other sector-specific requirements is dependent on the nature of the Project and its environmental and social risks and impacts	Where a Project has potential impacts on Indigenous Peoples, in accordance with the provisions of IFC Performance Standard 7, the Project should be required to demonstrate that it has obtained the free, prior and informed consent (FPIC) of potentially affected Indigenous Peoples. The Project should also obtain FPIC from Indigenous Peoples for proposed changes to activities that may result in new or increased impacts on Indigenous Peoples' rights or interests.	FPIC	N	This is implied through the application of the Performance Standards. Where PS 7 is triggered, there are then specific analysis and requirements with respect to FPIC.
177	TNC	4.0.6.	For those projects with the potential for significant adverse impacts on Project Affected People, DFC will confirm prior to project approval that there is Broad Community Support for the Project. DFC may rely on support from independent experts to assess Meaningful Consultation and Broad Community Support.	This should include FPIC where applicable. How is this determination made?	FPIC	Y	Included the application of FPIC where applicable.
178	TNC	4.1.4. (4.1.8.)	Clients are required to undertake, and provide demonstration of, Meaningful Consultation with Project Affected People and meet the requirements related to Stakeholder engagement of Performance Standard 1 .	What about the applicability of FPIC?	FPIC	Y	Included the application of FPIC where applicable.
179	CSO Group	3.1.3.	Projects in locations, industries, or sectors that are labor-intensive; involve hazardous work with a documented history of Labor Rights issues; or rely on large pools of contracted, migrant, casual or unskilled Workers, including within the Supply Chain. Projects in locations, industries or sectors with elevated risks of gender discrimination, exclusion or GBVH may also be higher risk. Examples of such Projects are those that involve significant construction activities, manual harvesting of agricultural commodities, Extractive Industries, and are in industries in which Workers face difficulty in exercising trade union rights, or have a higher likelihood of using forced (including trafficked) or child labor, including in their supply chains.	Tracked Changes: Projects in locations, industries, or sectors that are labor-intensive; involve hazardous work with a documented history of Labor Rights issues; or rely on large pools of contracted, migrant, casual or unskilled Workers, including within the Supply Chain. Projects in locations, industries or sectors with elevated risks of gender discrimination, violence against women (VAW), GBV, and SEA/H exclusion or GBVH may also be higher risk. Examples of such Projects are those that involve significant construction activities, manual harvesting of agricultural commodities, Extractive Industries, and are in industries in which Workers face difficulty in exercising trade union rights , or have a higher likelihood of using forced (including trafficked) or child labor, including in their supply chains.	Gender	N	The proposed additional terms are included within the umbrella definition of GBVH. Sexual exploitation and abuse has been added to the definition of GBVH.
180	CSO Group	B		Tracked Changes: [Added text] Projects that will require large labor influx and / or pose significant risks or exacerbate existing risks of GBV and SEA/H, including child SEA/H.	Gender	N	Categorical Prohibition 38 already prohibits projects that require the utilization or reliance to a large degree on large pools of sub-contracted, unskilled, temporary or migrant labor. For other projects not categorically prohibited but which involve an influx of labor, appropriate GBVH risk assessment and prevention and response measures will be required.
181	CSO Group	B	Project activities that entail significant, adverse transboundary and/or cumulative environmental, social, or human rights impacts.	Tracked Changes: Project activities that entail significant, adverse transboundary and/or cumulative environmental, social, or human rights impacts, , including any sort of GBV, violence against women, and / or violence against children.	Gender	N	This is captured under "social or human rights impacts."
182	CSO Group	B	Projects that entail direct, adverse impacts to indigenous peoples and areas of importance for indigenous peoples.	Tracked Changes: Projects that entail direct, adverse impacts to marginalized and excluded populations including indigenous peoples, and women, girls, and gender diverse individuals, and areas of importance for indigenous peoples.	Gender	N	This Categorical Prohibition is intended to be specific to Indigenous Peoples.

183	CSO Group	C	Gender-Based Violence and Harassment (GBVH) – Violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.	Tracked Changes: [Added/Substituted text] Gender-Based Violence and Harassment (GBVH) – Refers to harmful acts directed at an individual or a group of individuals based on their gender. It is rooted in gender inequality, the abuse of power and harmful norms. The term is primarily used to underscore the fact that structural, gender-based power differentials place women and girls at risk for multiple forms of violence. While women and girls suffer disproportionately from GBV, men and boys can also be targeted.	Gender	N	We see value in harmonizing terms with best practice guidance, which this definition reflects. How this is assessed, mitigated, and monitored will vary greatly between projects and therefore is best suited to internal procedures.
184	CSO Group	C		Tracked Changes: [Added text] Sexual Exploitation, Abuse, and Harassment (SEA/H) - Comprises three types of sexual violence: Sexual exploitation: any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. ⁴⁶ Sexual abuse: actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Sexual abuse is a broad term, which includes a number of acts including rape and sexual assault, among others. ⁴⁷ Sexual harassment: any form of unwanted verbal, non-verbal, or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating, or offensive environment. This may include unwelcome sexual advances, or requests for sexual favors, and may take place through online activity or mobile communications as well as in person. (46) https://hr.un.org/materials/un-glossary-sexual-exploitation-and-abuse-english	Gender	Y	See updated definition of Gender-Based Violence and Harassment to include sexual exploitation and abuse.
185	IRMA	1.2.1.	Identify disproportionate, gender-specific impacts of the Project and take steps to mitigate the risks of exclusion, discrimination, and harm, including the risk of Gender-Based Violence and Harassment (GBVH)	In addition to identifying impacts it would be helpful to include assessment of opportunities to promote gender equality and gender protections, create and monitor action plans, and regularly report on implementation of plans.	Gender	Y	Comment accepted.

186	TNC	1. Intro	DFC also provides financing for small businesses and women entrepreneurs in order to create jobs in emerging markets.	Maybe a commitment to gender responsive safeguards to ensure benefits to women, girls, and marginalized gender groups?	Gender	N	Gender responsive safeguards is another way of stating the language already included in Section 1, which reflects DFC's commitment to identifying disproportionate gender-specific impacts and taking steps to mitigate the risk of exclusion, discrimination and harm.
187	TNC	1.2.1.	Identify disproportionate, gender-specific impacts of the Project and take steps to mitigate the risks of exclusion, discrimination, and harm, including the risk of Gender-Based Violence and Harassment (GBVH)	A gender mainstreaming process should include project activities to ensure benefits to women and girls. I would encourage a note on benefits, rather than just avoidance of harm and exclusion here.	Gender	Y	Comment accepted.
188	TNC	2.1.1.	In addition to compliance with all applicable laws, at a minimum, DFC requires that all Projects meet the Performance Standards, applicable EHS Guidelines, and Labor Rights. These are collectively referred to as DFC's Applicable Standards. The relevant provisions of this ESPP together with the Applicable Standards are referred to as DFC's Environmental and Social Requirements.	Specifically, add gender mainstreaming here. It is only implicitly considered part of the performance standards. Also, do you not commit to the UNGP's or other human rights standards?	Gender	N	The concept of gender mainstreaming would not properly fit with the construct of applicable standards, which generally refers to laws and related norms. The standards referenced in this comment are among those that are considered during assessment of proposed projects, where those standards may be applicable.
189	TNC	B	39. Projects that involve a high degree of Contextual Risk that have the potential to amplify the significance of the project's environmental and social impacts.	I would add human rights and gender risks or risk of creating/exacerbating political or social conflicts specifically.	Gender	N	Each of these is captured in the definition of Contextual Risk.
190	TNC	2.4.3.4.	Projects involving the manufacturing of pharmaceuticals or medical equipment are reviewed closely. Prior to supporting such Projects, evidence that the safety and effectiveness of such products are certified by the U.S. Food and Drug Administration, or an equivalent foreign public health authority must be provided to DFC. DFC also requires evidence that the products have not been withdrawn from the U.S. market for reasons of safety or lack of effectiveness.	I would encourage articulating consideration for gender-related impacts specifically if DFC is funding reproductive health care or rights-related work.	Gender	N	DFC will consider gender-related impacts as required in Chapter 1(c).
191	CSO Group	7.0.7.	In addition to other matters, all Projects must satisfy DFC's "know your customer" due diligence process. DFC's "know your customer" due diligence reviews Client's ownership and corporate governance structures and compliance with anti-money laundering sanctions and prohibited payments, as well as the Client's organizational capacity to continue to comply with such laws. DFC Agreements include contractual provisions to ensure acceptable ownership structures, corporate governance, and continued compliance with such laws.	Tracked Changes: In addition to other matters, all Projects must satisfy DFC's "know your customer" due diligence process. DFC's "know your customer" due diligence reviews Client's ownership and corporate governance structures, including verifiable beneficial ownership information, and compliance with anti-money laundering sanctions and prohibited payments, as well as the Client's organizational capacity to continue to comply with such laws. DFC Agreements include contractual provisions to ensure acceptable ownership structures, corporate governance, environmental and social due diligence, and continued compliance with such laws.	Governance	N	See update to Section 7. A discussion of environmental and social legal requirements can be found in Chapter 5.
192	IRMA	3.2.	3.2. Corporate Investments	The DFC ESPP could amplify coverage of business integrity, revenue transparency, anti-bribery, and anti-corruption, including in this section. See mining-sector specific guidance in the EITI Standard, IRMA Standard Chapter 1.5, and in recommendations from NREGI, OECD, and EITI.	Governance	N	We appreciate the comment. DFC does not mention each standard it consults and adopts in the ESPP but adheres generally to international best practice when reviewing projects.
193	IRMA	8.1.	8.1. Screening and Categorization	As noted above, this section could also include greater coverage of business integrity, revenue transparency, anti-bribery, and anti-corruption measures. See mining-sector specific guidance in the EITI Standard, IRMA Standard Chapter 1.5, and recommendations from NREGI, OECD, and EITI.	Governance	N	We appreciate the comment. For the purposes of this policy, which addresses environmental and social issues, the issues are adequately covered.
194	DOL/ILAB	B	Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos; for asbestos-cement products with an annual production of more than 20,000 tons of finished product; for friction material with an annual production of more than 50 tons of finished product; and for other asbestos utilization of more than 200 tons per year.	If extraction means mining - wouldn't this violate the exclusion of projects producing unbonded asbestos fibers?	Health and safety	Y	Category Prohibition #11 has been updated to reflect current international prohibition.

195	DOL/ILAB	B	Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos; for asbestos-cement products with an annual production of more than 20,000 tons of finished product; for friction material with an annual production of more than 50 tons of finished product; and for other asbestos utilization of more than 200 tons per year.	Can this reference the ceiling of 20% bonded asbestos fiber content in the IFC exclusion list? Can add 'including the use of asbestos-containing materials'. While the threshold of a categorical ban is set at up to 20% of bonded fibers, use of new asbestos-containing material such as cement is still a risk as asbestos is unsafe in any amount.	Health and safety	Y	Category Prohibition #11 has been updated to reflect current international prohibition.
196	GLJ-ILRF	2.4.5.	DFC applies screening and environmental and social assessment criteria consistent with international best practice for Projects utilizing a Supply Chain at risk for the use of forced or child labor, significant health and safety issues or significant conversion of Critical Forest Areas or Critical Natural Habitat. Clients must provide relevant information on suppliers throughout the tiers of the Project's Supply Chain in sectors considered to be at high risk for these issues.	We applaud DFC's attention to forced labor, child labor, and occupational safety and health risks in the supply chain, and we firmly concur with DFC's recognition that, where these risks are posed, supplemental screening is necessary (§ 2.4.5). Emphasis on workplace safety and health are especially critical amidst the current COVID-19 crisis and following the International Labor Organization's recognition of the right to a safe and healthy workplace as fundamental. We encourage DFC to make use of the global labor movement's networks in assessing these risks and developing its responses.	Health and Safety, Labor	NA	Noted, thank you.
197	GLJ-ILRF	2.4.	DFC is responsible for identification of supplemental standards when additional preventative or protective measures are necessary to adequately mitigate specific project-related environmental and social risks and impacts. Supplemental standards may include (1) relevant and applicable U.S. federal standards; (2) standards issued by other international organizations relating to public health, safety, and the environment such as those from the World Health Organization, the International Maritime Organization, the Food and Agriculture Organization, or the International Civil Aviation Organization; and (3) standards of best practice developed by governments, other development finance institutions, industry associations, or non-governmental organizations.	We commend DFC's inclusion of sector-specific standards in the ESPP (§2.4). We have found a sectoral perspective essential in implementing safeguards and in developing and experimenting with new implementation policies. We encourage the DFC to experiment further with sector-specific policy interventions and to consider adding the International Labor Organization to list of potential sources of supplemental standards. We would also note that sector-focused unions and global union federations can be important sources of information and insight in developing these standards.	Health and Safety, Labor	Y	We have incorporated ILO as a supplemental standard.
198	DOL/ILAB	6.1.2.	All DFC Agreements require timely notification to DFC of any incident occurring at the Project site that results in the loss of life or that has a material, adverse impact on or poses material risk to the environment, Workers, or Project Affected People.	We encourage DFC to setup the internal data collection and external disclosure procedures needed to follow EBRD in disclosing an annual statistic on worker fatalities per 1,000 active projects (or a similar metric on OHS).	Health and Safety, Reporting	Y	This is best suited for internal procedures and guidance. DFC is setting up systems to more systemically track these incidents and corresponding actions.
199	CSO Group	C	Those rights expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labor Organization's Declaration on Fundamental Principles and Rights at Work.	Tracked Changes: Those rights expressed in international and regional human rights instruments, including the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labor Organization's Declaration on Fundamental Principles and Rights at Work.	Human Rights	N	The current definitions include appropriate coverage of this issue based on USG positions.
200	TNC	1.2.1.	Undertake Projects in a host country that is taking steps to adopt and implement laws that extend Internationally Recognized Worker Rights	Why specifically worker rights? What about gender, equity, IPLC, human rights, and working conditions? I would suggested broadening focus.	Human Rights	N	Country-level limitations with respect to internationally recognized worker rights comes directly from the Build Act and that statutory requirement is what is reflected here. For the other issues noted we include commitments in this ESPP, via the IFC Performance Standards, and through interagency consultation with State Department.

201	CSO Group	Section 4.1.		<p>Tracked Changes: For high-risk projects and any projects involving the extraction of minerals including those used in renewable energy infrastructures, to conduct human rights impact assessments as part of their ESIA's, integrate these findings into their Environmental and Social Management system (ESMSs), and to disclose these systems and assessments publicly.</p> <p>conduct human rights impact assessments as part of their ESIA's, integrate these findings into their Environmental and Social Management system (ESMSs), and to disclose these systems and assessments publicly</p> <p>Refuse to conduct business with any entity whose key personnel or beneficial owners have conflicts of interest that cannot be adequately managed or with those that have a record of corruption where there is no evidence of mitigation of corruption risks. Companies should document this commitment in a publicly available policy and report on their implementation of this policy</p> <p>Adopt, disclose and enforce strong "revolving door," lobbying and political donation rules</p> <p>Adopt responsible tax principles and implement responsible tax practices, including minimizing use of subsidiaries in tax havens, avoiding project-specific tax incentives, committing to cooperative engagement with tax authorities, and publishing tax transparency reports</p>	Human Rights, Governance	N	DFC agrees that the highlighted issues may pose significant risks in projects and are important considerations in our credit and due diligence analysis, and are issues that DFC can evaluate and mitigate on a project-by-project basis. The IFC Performance Standards and current DFC due diligence practice acknowledge different severity of risks and tailoring of assessments to meet those risks.
202	CARE	1.4.	The OOA, which functions as DFC's independent accountability mechanism, gives local communities, which may be materially, directly and adversely affected by DFC-supported Projects, a means through which complaints may be raised.	neither the BUILD Act nor the Board Resolution for the IAM says that communities must materially or directly impacted. "Material" harm is subjective and the mechanism must be able to also receive complaints about indirect impacts.	IAM	Y	We have removed the materiality language and added clarity on the inclusion of Sub-Projects.
203	CSO Group	1.4.	DFC has established an Office of Accountability (OOA) to assess and review complaints about DFC-supported Projects.	Tracked Changes: DFC has established an Office of Accountability (OOA) to assess and review complaints about DFC-supported Projects and Sub-projects.	IAM	Y	Added the clarity on the inclusion of Sub-Projects
204	CSO Group	1.4.	The OOA, which functions as DFC's independent accountability mechanism, gives local communities, which may be materially, directly and adversely affected by DFC-supported Projects, a means through which complaints may be raised.	Tracked Changes: The OOA, which functions as DFC's independent accountability mechanism, gives local communities, which may be materially, directly and adversely affected by DFC-supported Projects and Sub-projects , a means through which complaints may be raised.	IAM	Y	We have removed the materiality language and added clarity on the inclusion of Sub-Projects.
205	CSO Group	1.4.1.	OOA requires all Clients and FI sub-projects to disclose DFC's potential participation in a proposed investment and the existence of DFC's OOA to Project Affected People in a culturally appropriate, gender sensitive, and accessible manner.	Tracked Changes: DFC and OOA requires all Clients and FI sub-projects to disclose DFC's potential participation in a proposed investment and the existence of DFC's OOA to Project Affected People in a culturally appropriate, gender sensitive, and accessible manner. DFC will confirm that this disclosure has taken place and will post this confirmation online.	IAM	N	This is beyond the scope of the ESPP. The IAM is an independent mechanism and its procedures are established by it and the Board.
206	CSO Group	1.4.1.	Further information on the OOA and how to request its services can be found at DFC's website.	Tracked Changes: Further information on the OOA and how to request its services can be found at DFC's website. in an accessible way. The existence of the OOA and how to contact it will also be included in appropriate project documents.	IAM	N	This is beyond the scope of the ESPP. The IAM is an independent mechanism and its procedures are established by it and the Board.
207	CSO Group	Cover letter		Additionally, DFC must finalize the procedures of its Office of Accountability so that project-affected communities can raise concerns about the implementation of the ESPP and the environmental and human rights impacts of DFC's projects.	IAM	N	This is beyond the scope of the ESPP. The IAM is an independent mechanism and its procedures are established by it and the Board.
208	TNC	1.2.3.	DFC makes information concerning its activities available on DFC's website to enable members of the interested public an opportunity to better understand DFC's business activities.	Public disclosure of safeguards plans, grievance availability, and filed grievances on the DFC website should be committed to explicitly, like other banks and agencies such as the GCF do. This commitment is overly vague (despite knowing that the DFC publishes a lot – why not just make it explicit in the policy?).	IAM	N	The documents that DFC intends to include for disclosure can be found in Chapter 5.
209	TNC	1.4.	OOA's mandate is to deliver problem-solving and compliance review services in a manner that is fair, objective and transparent, thereby enhancing DFC's mission effectiveness.	I am curious about the strategy for maintaining independence and couldn't find that articulated on the website. I would also add each activity requires a tailored approach to grievance with input from communities on accessibility and a specific requirement that partner entities disclose grievances on their websites like the GCF does (which is aligned with an IFC process).	IAM	N	This is beyond the scope of the ESPP. The IAM is an independent mechanism and its procedures are established by it and the Board.

210	AFL-CIO	3.1.3.	Projects in locations, industries, or sectors that are labor-intensive; involve hazardous work with a documented history of Labor Rights issues; or rely on large pools of contracted, migrant, casual or unskilled Workers, including within the Supply Chain . Projects in locations, industries or sectors with elevated risks of gender discrimination, exclusion or GBVH may also be higher risk. Examples of such Projects are those that involve significant construction activities, manual harvesting of agricultural commodities, Extractive Industries, and are in industries in which Workers face difficulty in exercising trade union rights, or have a higher likelihood of using forced (including trafficked) or child labor, including in their supply chains.	It is unclear from the overall text and the definition of "area of influence" the extent to which a project is responsible for labor rights harms in their supply chains, as opposed to direct employees and onsite contractors and subcontractors.	Labor	N	IFC Performance Standards 1 and 2 address the specific responsibilities for clients.
211	AFL-CIO	3.1.3.	Projects in locations, industries, or sectors that are labor-intensive; involve hazardous work with a documented history of Labor Rights issues; or rely on large pools of contracted, migrant, casual or unskilled Workers, including within the Supply Chain. Projects in locations, industries or sectors with elevated risks of gender discrimination, exclusion or GBVH may also be higher risk. Examples of such Projects are those that involve significant construction activities, manual harvesting of agricultural commodities, Extractive Industries, and are in industries in which Workers face difficulty in exercising trade union rights , or have a higher likelihood of using forced (including trafficked) or child labor, including in their supply chains.	I would note that it is in fact most industries where workers face difficulty in exercising trade union rights. One may consider that, unless there is a pre-existing union associated with the project, and that union is free/democratic, that the risk level would automatically be elevated.	Labor	N	Noted on the point, no change needed here as that concept is covered for the purposes of this policy statement.
212	AFL-CIO	4.0.1.	After screening and categorization, and prior to DFC approval, DFC undertakes a review of the Project and the Client's organizational capacity to determine whether the Client meets or can meet the requirements of the Applicable Standards.	DFC's independent review should consider past or current workforce disputes, as well as health and safety records. Independent (and confidential) worker interviews should be part of this assessment.	Labor	Y	Please see addition of past performance in Section 4.
213	AFL-CIO	4.1.1.	The Client must demonstrate a sound understanding of the Project and have undergone a process to (1) identify all factors that define the Project's Area of Influence ;...	As noted above, it is unclear to what extent labor rights violations of suppliers is relevant here. Is a project required to do something about serious abuses at a supplier of necessary inputs, even if they are not a contractor or subcontractor onsite on the project.	Labor	N	The client's responsibility with regard to its supply chain is addressed in PS1 and PS2.
214	AFL-CIO	5.2.2.	For Category A Projects, Clients are required to submit to DFC an ESIA and/or Baseline Audit and Stakeholder engagement plan for public disclosure on the DFC website (See Paragraph 5.1.3.).	Clients should be required to provide detailed maps of their workforce and supply chains, which are important both for project evaluation as well as for monitoring and can provide vital information about the resilience (and economic impacts) of their operations.	Labor	N	If there are significant primary supply chain risks in a Category A project, this would be considered as part of the disclosure package.
215	AFL-CIO	6.0.3.	Selection for monitoring site visits is determined through a risk-based prioritization process. The scope, timing, and periodicity of the visits are commensurate with the significance and severity of environmental and social risks and impacts of a Project, Client, or Financial Intermediary. These visits are intended to check for on-the-ground compliance, identify areas where the Project is implementing good practices and/or potential areas for improvement, and enable an opportunity for Workers, Project Affected People, and other Stakeholders to interact and provide feedback on the Project to DFC.	It is crucial that these site visits allow for confidential conversations with workers and other Project Affected People without the knowledge of the client/ employer, as well as local labor officials and ILO representatives.	labor	N	While the worker interviews are confidential and away from management, an unannounced visit is not feasible for DFC.

216	AFL-CIO	7.0.4.	<p>"All DFC Agreements include contractual language that addresses Internationally Recognized Worker Rights in substantially the following form (as outlined in Section 1451(d)(2) of the Build Act of 2018): The person receiving support agrees not to take actions to prevent employees of the foreign enterprise from lawfully exercising their right of association and their right to organize and bargain collectively. The person further agrees to observe applicable laws relating to a minimum age for employment of children, acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety, and not to use forced labor or the worst forms of child labor (as defined in section 507 of the Trade Act of 1974 (19 U.S.C. 2467)). The person is not responsible under this paragraph for the actions of a foreign government."</p>	The client should guarantee that employees are able to freely associate, and that the employer will collectively bargain in good faith when presented by a demand from the union.	Labor	N	DFC's statutory requirement from the BUILD Act states that "The person receiving support agrees not to take actions to prevent employees of the foreign enterprise from lawfully exercising their right of association and their right to organize and bargain collectively."
217	AFL-CIO	10.0.	The Corporation shall only support projects under title II in countries that are taking steps to adopt and implement laws that extend internationally recognized worker rights (as defined in section 507 of the Trade Act of 1974 (19 U.S.C. 2467)) to workers in that country, including any designated zone in that country.	Do we assume that if GSP will be reauthorized, that the "taking steps" language is likely to be maintained?	Labor	N	DFC is monitoring GSP reauthorization and will review and update the ESPP as needed when/if changes occur.
218	AFL-CIO	10.2.1.	In making its determinations as to whether non-GSP-eligible countries where DFC programs are being offered are taking steps to adopt and implement laws that extend Internationally Recognized Worker Rights to Workers	What happens here is the GSP standard is changed by legislation to some higher bar? Will that be reflected here as well to maintain consistency (since this is about countries who are not eligible for GSP)? Perhaps a footnote here noting that GSP is not currently in force, and the authorization bills may in fact apply a different standard. And such standard would be reflected here if/when it passes?	Labor	N	DFC is monitoring GSP reauthorization and will review and update the ESPP as needed when/if changes occur.
219	AFL-CIO	A	Production or activities involving harmful or exploitative forms of forced labor or child labor.	Since there is no forced labor which is not harmful or exploitative, perhaps move these adjectives in front of child labor (or just refer to Worst Forms)	Labor	Y	Edit accepted.
220	AFL-CIO	C	Workers – Individuals who are employed directly by the project or under a project contract , and who perform on-site work for a substantial duration of time on a project or are material to the core business processes of a project. Workers can be temporary or permanent.	Does this cover all contracting and subcontracting on a project? Or just the first contract?	Labor	N	Yes, if they meet all elements of this definiton.
221	AFL-CIO	C	Workers – Individuals who are employed directly by the project or under a project contract , and who perform on-site work for a substantial duration of time on a project or are material to the core business processes of a project. Workers can be temporary or permanent.	How is this determination made, and by whom?	Labor	N	This determination is made by DFC subject-matter experts.
222	AFL-CIO	C	Workers – Individuals who are employed directly by the project or under a project contract , and who perform on-site work for a substantial duration of time on a project or are material to the core business processes of a project. Workers can be temporary or permanent.	Same as above	Labor	Y	Added as definition.
223	CARE	2.3.1.	The Environmental and Social Requirements apply to all Project-related activities including those carried out by on-site contractors and sub-contractors of the Project that work for a substantial duration of time on the Project or are material to the core business processes of the Project . Clients are responsible for ensuring that on-site contractors and sub-contractors meet the requirements.	Requires specificity.	Labor	N	This edit would remove important flexibility in determining how to assess contractor and subcontractor work.

224	CARE	10.5.	If a country becomes ineligible for DFC support on worker rights grounds, the change of status does not affect Projects to which DFC made a legally binding commitment prior to the date on which the country status changed	This should include an updated report and oversight to ensure that projects outline and take special considerations to abide by more stringent standards within their project and area of responsibility.	Labor	Y	Clarification added.
225	CSO Group	2.3.1.	The Environmental and Social Requirements apply to all Project-related activities including those carried out by on-site contractors and sub-contractors of the Project that work for a substantial duration of time on the Project or are material to the core business processes of the Project. Clients are responsible for ensuring that on-site contractors and sub-contractors meet the requirements.	Tracked Changes: The Environmental and Social Requirements apply to all Project-related activities including those carried out by on-site contractors and sub-contractors of the Project that work for more than a 90 days substantial duration of time on the Project or are material to the core business processes of the Project. Clients are responsible for ensuring that on-site contractors and sub-contractors meet the requirements.	Labor	N	This edit would limit the application of our standards.
226	CSO Group	A	Production or activities involving harmful or exploitative forms of forced labor or child labor.	Tracked Changes: Production or activities involving harmful or exploitative forms of forced labor or child labor.	Labor	Y	Edit accepted.
227	DOL/ILAB	1.2.1.	Undertake Meaningful Consultation with Project Affected People regarding Project activities, including engagement with Vulnerable Groups	Suggest adding Workers and workers' organizations	Labor	N	Workers and workers' organizations are included in the definition of Project Affected People.
228	DOL/ILAB	2.1.1.	In addition to compliance with all applicable laws, at a minimum, DFC requires that all Projects meet the Performance Standards, applicable EHS Guidelines, and Labor Rights. These are collectively referred to as DFC's Applicable Standards. The relevant provisions of this ESPP together with the Applicable Standards are referred to as DFC's Environmental and Social Requirements.	Given the weaknesses in the Workers' Organizations section of PS 2, which defers to national law on freedom of association and collective bargaining, is there room in the ESPP to establish a high-road approach to these rights consistent with fundamental conventions?	Labor	N	The BUILD Act prohibits DFC-supported projects from taking actions to prevent employees from lawfully exercising their right of association and their right to organize and bargain collectively. The BUILD Act also requires this language be included for each DFC-supported project.
229	DOL/ILAB	3.1.3.	Projects in locations, industries, or sectors that are labor-intensive; involve hazardous work with a documented history of Labor Rights issues; or rely on large pools of contracted, migrant, casual or unskilled Workers, including within the Supply Chain. Projects in locations, industries or sectors with elevated risks of gender discrimination, exclusion or GBVH may also be higher risk. Examples of such Projects are those that involve significant construction activities, manual harvesting of agricultural commodities, Extractive Industries, and are in industries in which Workers face difficulty in exercising trade union rights, or have a higher likelihood of using forced (including trafficked) or child labor, including in their supply chains.	Welcome this language, while still noting that labor intensity is not necessarily a risk factor unto itself. A project with more workers engaged in non-hazardous work (e.g. filling potholes) can be less risky than a project with a few workers in very hazardous work (e.g. installing overhead electrical lines for a trolley).	Labor	N	Noted, and this is considered as an element in the assessment.
230	DOL/ILAB	4.0.7.	During due diligence, DFC consults with the U.S. Department of State on how project-specific activities interact with country-level human rights concerns. For consistency across U.S. Government agencies, DFC relies on guidance provided by the U.S. Department of State, the lead U.S. agency on Human Rights matters and determinations	Recommend adding a version of World Bank ESS 2 Footnote 2, in order to consistently engage unions, inspectorates, the ILO, and other key sources of labor information during assessment. ESS 2, FN 2: "In conducting the environmental and social assessment and depending on the significance of the potential issues in the project relating to labor and working conditions, the views of representative workers' and employers organizations may be sought." See also Guidance Note 2: "GN2.3 As discussed in footnote 2 of ESS2, engaging with project workers and their representatives on labor issues, including with representatives of workers organizations where they exist, helps inform the assessment of labor risks and impacts, by providing useful context and additional information. Depending on the project, engagement may also include workers' organizations at a global, national, or sector level; employers' organizations; and labor inspectorates."	Labor	N	Project sponsors are responsible for taking into account Project Affected People, which includes workers and workers' organizations.
231	DOL/ILAB	4.1.4.	Clients are required to undertake, and provide demonstration of, Meaningful Consultation with Project Affected People and meet the requirements related to Stakeholder engagement of Performance Standard 1.	This can explicitly include workers and their organizations, to ensure clients build trust and relationships that convert to open communication and an enabling environment for freedom of association and collective bargaining, rather than the mistrust and pressure on workers that too often occurs in practice.	Labor	N	Workers and workers' organizations are included in the definition of Project Affected People.

232	DOL/ILAB	6.0.2.	The extent and frequency of monitoring will be commensurate with the environmental and social risks associated with the Project. DFC undertakes monitoring through review of environmental and social reports (client self-reporting and/or third-party reports), communication with Clients regarding the Project's environmental and social performance and/or site visits to Projects by DFC's environmental and social specialists and/or independent experts.	Suggest adding workers' organizations.	Labor	N	Workers' organizations are included in the definition of Project Affected People, which are referenced to this point in Section 6(a)(2).
233	DOL/ILAB	6.0.3.	Selection for monitoring site visits is determined through a risk-based prioritization process. The scope, timing, and periodicity of the visits are commensurate with the significance and severity of environmental and social risks and impacts of a Project, Client, or Financial Intermediary. These visits are intended to check for on-the-ground compliance, identify areas where the Project is implementing good practices and/or potential areas for improvement, and enable an opportunity for Workers , Project Affected People, and other Stakeholders to interact and provide feedback on the Project to DFC.	This is welcome, but does not have to be limited to site visits and can also include remote consultation with workers and their organizations.	Labor	N	Agreed, thank you.
234	DOL/ILAB	10.1.4.	Upon completion of a country review, a country's eligibility status may remain unchanged, or be withdrawn, suspended, or limited. Modifications to a country's GSP eligibility are implemented by Executive Order or Presidential Proclamation and are published in the Federal Register. Based on the country review, should the President determine that a country is failing to meet the statutory "taking steps" worker rights standard , then the country will become ineligible for DFC programs.	Suggest adding "...standard and withdraws, suspends, or limits a country's eligibility,"	Labor	N	The Presidential Determination on "taking steps" is the relevant factor, not the resulting punitive action by USTR.
235	DOL/ILAB	10.2.1.	In making its determinations as to whether non-GSP-eligible countries where DFC programs are being offered are taking steps to adopt and implement laws that extend Internationally Recognized Worker Rights to Workers, DFC utilizes a similar petition and review process. Petitions can be submitted to DFC at its public hearings to reexamine whether the status of any such country should be changed on worker rights grounds.	For clarity, suggest moving Footnote 24 text into this main text. In Footnote 24, the USTR process reference can be updated to 10.1	Labor	Y	Please see update to Section 10.
236	DOL/ILAB	10.3.	For non-GSP-eligible countries that are deemed particularly sensitive on worker rights grounds due to a documented history of issues relating to Internationally Recognized Worker Rights, and where DFC seeks to implement its programs for the first time or to lift suspension of DFC programs due to foreign policy or other priorities, DFC will also follow an interagency process and consult with, at a minimum, the U.S. Department of State, U.S. Department of Labor, and USTR in making its "taking steps" determination.	To avoid any issues with how the initial determination of 'particularly sensitive' is made, we suggest deleting this section and ensuring inter-agency consultation in any case of first-time operations or lifting suspensions.	Labor	N	Thank you. How to address an affirmative presumption of being open is/will be addressed procedurally internally.
237	DOL/ILAB	10.4.1.	● Reports, observations and recommendations of the International Labor Organization (ILO);	'comments and reports' would better reflect the supervisory process. Recommendations in ILO parlance are a standard-setting instrument, the tier below a Convention.	Labor	Y	Please see update to Section 10(e).
238	DOL/ILAB	10.4.2.	In its country reviews, DFC takes into account the totality of circumstances and facts available relevant to Internationally Recognized Worker Rights, and uses certain general criteria to assess whether countries meet the statutory standard, including: (1) Progress towards ratification of the relevant ILO fundamental conventions; and (2) the progress the country has taken or is taking to adopt and implement laws and practices that extend Internationally Recognized Worker Rights in areas where national law and practice have not met the international standard.	Recommend deleting 'progress toward' as ratification is a straightforward binary situation.	Labor	Y	Please see update to Section 10(e).

239	DOL/ILAB	10.5.	If a country becomes ineligible for DFC support on worker rights grounds, the change of status does not affect Projects to which DFC made a legally binding commitment prior to the date on which the country status changed	Nonetheless, the worker rights issues that led to country ineligibility may create additional risks for the project. The ESPP can establish a process to review all remaining projects and establish an appropriate plan of action, such as additional measures to ensure labor rights within the client or a plan in place to use DFC leverage in relevant situations (for example, if the government arrests a trade union leader from the client workforce). It should be ensured that project-affected people including workers are reminded of their access to redress including the Office of Accountability, and it may be appropriate to ask the Office for advisory services if the prior commitment will continue an investment in an ineligible country for more than a brief time.	Labor	Y	DFC added clarifying text for monitoring activities commensurate to elevated labor risks. With respect to the OA, the point is procedural but within the remit of that office.
240	DOL/ILAB	A	Production or activities involving harmful or exploitative forms of forced labor or child labor.	Recommend deleting 'harmful or exploitative forms', as such situations always meet this modifier. Can keep similar to previous ESPP that plainly prohibited forced labor and labor.	Labor	Y	Edit accepted.
241	DOL/ILAB	A	Production or activities involving harmful or exploitative forms of forced labor or child labor. (Footnote 36)	While noting the PS 2 definition, recommend changing Footnote 36 to align with 22 USC 9671 (which incorporates 19 USC 2467) and ILO Convention 182, which 2467 is based on. Definition could be: "Child labor means work below the minimum age for employment of children under ILO Convention 138 or set by the laws of the country, whichever is higher. Worst forms of child labor means all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labor, and any work which is likely to harm the health, safety, or morals of children."	Labor	N	Updated text.
242	DOL/ILAB	B	Appendix B - Illustrative List of Category A Projects	Suggest adding 'Utility-scale solar power generation' due to the supply chain forced labor risks	Labor	N	This may not always be the case for this sector; additionally, it really depends on the technology being used.
243	DOL/ILAB	B	38. Projects that require the utilization or reliance to a large degree on large pools of sub-contracted, unskilled, temporary, casual and/or migrant Workers including among primary and secondary suppliers.	This term is not used elsewhere - should be 'in the supply chain'	Labor	Y	Updated text.
244	DOL/ILAB	C	Contextual Risk - Risks in the external environment (at a country, sector, or subnational level) that the Client does not control but which could negatively impact a Project's or Client's ability to meet the Applicable Standards. Risks may be due to current circumstances or systemic, legacy and/or historic issues. Key risk factors may include: ● Socially sensitive and/or labor-intensive sectors (e.g., sectors with known labor or human rights violations, risk of child/forced labor, elevated risks of gender discrimination or GBVH, hazardous work, involvement of significant armed security personnel, major environmental and social risks associated with the supply chain and/or sectors that have been subject to recent, documented public opposition)	Maybe 'socially or labor sensitive and/or labor-intensive', as noted in other comment labor intensity is not perfectly correlated to risk.	Labor	N	Point taken, but it can still be a factor in risk.
245	DOL/ILAB	C	International Labor Organization (ILO) – The tripartite United Nations agency that brings together governments, employers and workers of its member states in common action to promote decent work throughout the world.	Could say something about standard-setting role of the ILO, and the central importance of the Declaration on Fundamental Principles and Rights at Work.	Labor	N	Not additive for the purpose of the definition.

246	DOL/ILAB	C	<p>Labor Rights – Rights of Workers, which includes Internationally Recognized Worker Rights, and protection from discrimination with respect to employment and occupation on the basis of personal characteristics that are unrelated to inherent job requirements such as: race; color; social, indigenous, ethnic, or national origin; migrant status; health status (including HIV status or genetic background); marital, family, or social status; sex or gender (including gender identity or expression and sexual orientation); political opinion; affiliation or non-affiliation to a workers' organization; disability (including physical or mental disability); religion or belief; age; or other disadvantaged or vulnerable status. Special measures of protection or assistance taken in order to remedy past discrimination will not be deemed discrimination for purposes of this definition.</p>	<p>Affiliation is sufficient. Although 'non-membership' has been introduced as a category in some corporate CSR statements as part of signaling opposition to unions, international standards generally focus on membership as the main area of protection (e.g. Convention 98) and protect workers' free choices without spelling-out non-membership alongside membership.</p>	Labor	N	Noted.
247	DOL/ILAB	C	<p>Project Affected People – Individuals, local communities and Workers, including those within the Supply Chain, as well as community-based or worker groups, which are or could be affected by the Project's Area of Influence, directly or indirectly, including as a result of cumulative impacts. Emphasis should be placed on those who are directly and adversely affected, disadvantaged or vulnerable.</p>	<p>See suggestion to change 'Workers' to better distinguish 'Project Workers' and 'Project-Affected Workers'.</p> <p>Another way to tackle this distinction could be changing the Workers definition below to 'Project Workers' and fully describing Project-Affected Workers in the definition here.</p> <p>Either way, the main text sometimes refers to 'Project Affected People, including Workers' and this should encompass both workers employed in relation to the project and workers impacted by the project.</p>	Labor	N	Noted on consistency. Additional delineations are suited for more detailed procedural guidance.
248	DOL/ILAB	C	<p>Supply Chain – A tiered network of suppliers, facilities, or distribution channels essential for the core business processes of the Project and utilized by the Client during the Project life cycle to procure raw material inputs; assemble, install, or manufacture an intermediate or final product; and deliver a final good or service to an end user.</p>	<p>Tracked Changes: Suggest a revised wording: Supply Chain – A tiered network of suppliers, facilities, or distribution channels that provide goods or materials essential for the core functions business processes of the Project at any point in and utilized by the Client during the Project life cycle, including during any construction, operations, and maintenance activities. Suppliers may be at any tier of the supply chain including to procure raw material inputs; transformation, assembly, install, or manufacture of essential production equipment and components, intermediate or final products, and delivery of a final good or service to an end user.</p> <p>This makes changes including: - focusing on provision (manufacturing or transport) of goods and materials, avoiding any confusion on activities that may be done by contractors such as installation. - Ensures there are no bad faith arguments or unnecessary exclusions of goods sourcing, or arguments that construction is not essential to the core business process.</p>	Labor	Y	Added as definition.
249	DOL/ILAB	C	<p>Workers – Individuals who are employed directly by the project or under a project contract, and who perform on-site work for a substantial duration of time on a project or are material to the core business processes of a project. Workers can be temporary or permanent.</p>	<p>Suggest describing 2 (or 3) sub-categories. The main distinction would be 1) Project Workers as defined here and by PS 2, i.e. people working in connection with the project, and 2) Project-affected workers who are relevant as a type of Project Affected People because their jobs or working conditions are affected by a project but they do not work as direct, contracted or supply chain workers.</p> <p>#1 could be split into direct and contracted workers on the one hand, which is roughly what is defined in this paragraph currently, and supply chain workers on the other. This would reflect the substantially separate set of protections for supply chain workers under PS 2 compared to the other types of project workers.</p>	Labor	N	This is better suited for procedural guidance.

250	GLJ-ILRF	10.0.	<p>Section 1451(d) of the Build Act of 2018 contains the following provision:</p> <p>The Corporation shall only support projects under title II in countries that are taking steps to adopt and implement laws that extend internationally recognized worker rights (as defined in section 507 of the Trade Act of 1974 (19 U.S.C. 2467)) to workers in that country, including any designated zone in that country.</p>	<p>We encourage the DFC, in making its labor-based country eligibility decisions, to embrace the higher standard of the BUILD Act. While the Generalized System of Preferences requires only that a country have or be taking steps to afford internationally recognized worker rights, the BUILD Act provides that countries must be "taking steps to adopt and implement laws that extend internationally recognized worker rights." Compare 19 U.S.C. § 2467(b)(2)(G) with 22 U.S.C. § 9671(d)(1). The BUILD Act's formulation is more concrete, more easily applied, and more likely to encourage project host countries to maintain an ongoing commitment to securing workers' rights in changing circumstances. In no event should the DFC invest in countries that are unable to meet the lower GSP standard. In applying either country-level eligibility standard, DFC should place great emphasis on the achievement of internationally agreed labor standards. Such an approach ensures that DFC's work aligns with that of other US government agencies and international bodies, strengthening the signal sent to host countries seeking DFC investment.</p>	Labor	N	<p>The "taking steps" to afford standard under the Trade Act and the "taking steps to adopt and implement laws" for DFC (then OPIC) were intended by Congress to be materially the same for both agencies' implementation of their programs since the mid-1980s. The application of each has been uniform; the GSP standard is not lower than DFC's.</p>
251	GLJ-ILRF	10.2.1.	<p>In making its determinations as to whether non-GSP-eligible countries where DFC programs are being offered are taking steps to adopt and implement laws that extend Internationally Recognized Worker Rights to Workers, DFC utilizes a similar petition and review process. Petitions can be submitted to DFC at its public hearings to reexamine whether the status of any such country should be changed on worker rights grounds.</p>	<p>We encourage the DFC to clarify its use of the term "GSP eligible" in the ESPP, given that the program is currently inactive pending congressional action to renew the statute.</p>	Labor	N	<p>GSP-eligible is defined by USTR, not DFC.</p>
252	IRMA	3.1.3.	<p>Projects in locations, industries, or sectors that are labor-intensive; involve hazardous work with a documented history of Labor Rights issues; or rely on large pools of contracted, migrant, casual or unskilled Workers, including within the Supply Chain. Projects in locations, industries or sectors with elevated risks of gender discrimination, exclusion or GBVH may also be higher risk. Examples of such Projects are those that involve significant construction activities, manual harvesting of agricultural commodities, Extractive Industries, and are in industries in which Workers face difficulty in exercising trade union rights, or have a higher likelihood of using forced (including trafficked) or child labor, including in their supply chains.</p>	<p>Important to specifically list these here.</p>	Labor	N	<p>Thank you.</p>
253	TNC	3.1.3.	<p>Projects in locations, industries, or sectors that are labor-intensive; involve hazardous work with a documented history of Labor Rights issues; or rely on large pools of contracted, migrant, casual or unskilled Workers, including within the Supply Chain. Projects in locations, industries or sectors with elevated risks of gender discrimination, exclusion or GBVH may also be higher risk. Examples of such Projects are those that involve significant construction activities, manual harvesting of agricultural commodities, Extractive Industries, and are in industries in which Workers face difficulty in exercising trade union rights, or have a higher likelihood of using forced (including trafficked) or child labor, including in their supply chains.</p>	<p>What is a casual worker?</p>	Labor	N	<p>These definitions are contextually evaluated based on guidance within the IFC Performance Standards.</p>
254	TNC	10.1.4.	<p>The country list on DFC's website is updated to remove the country as of the effective date of the country's ineligibility, and DFC staff are notified of the change of country status. However, if a country becomes ineligible for GSP benefits on grounds other than worker rights, that country remains eligible for DFC programs.</p>	<p>Pardon my ignorance, but just want to double check that these laws and regulations comply with all applicable ILO global standards.</p>	Labor	N	<p>Unsure which laws and regulations are being cited here.</p>

255	TNC	10.5.	If a country is under a formal review on worker rights grounds (by either USTR's TPSC or DFC), projects that are in the application process are subject to a review that is sensitive to the labor issues highlighted in the GSP or DFC petition	I could not find a process that articulates the approval and contracting process from DFC and where these different steps are situated in that parallel process? It makes it unclear what activities are defined for when.	Labor	N	If a country is under formal review under worker rights grounds by GSP, the country-level issues are incorporated in the review of the project.
256	TNC	A	Production or activities involving harmful or exploitative forms of forced labor or child labor.	I would argue that effectively all forced labor and child labor related to a largescale infrastructure project is harmful and exploitative. I would encourage both as categorical exclusions with no qualifiers.	Labor	Y	Edit accepted.
257	GLJ-ILRF	10.2.1.	In making its determinations as to whether non-GSP-eligible countries where DFC programs are being offered are taking steps to adopt and implement laws that extend Internationally Recognized Worker Rights to Workers, DFC utilizes a similar petition and review process. Petitions can be submitted to DFC at its public hearings to reexamine whether the status of any such country should be changed on worker rights grounds.	DFC should ensure that it gives ample opportunity for external parties to contribute to its assessments of project-level labor rights risks and its country-level "taking steps" determination. Risks to workers' rights vary not only by national jurisdiction, but also by locality and sector and over time. DFC's processes should seek out and incorporate the inputs of trade unionists, labor rights activists, and others in assessing environmental and social risks. Their expertise and connections to local communities provide particularly crucial insights for DFC when evaluating the labor rights risks associated with both countries and projects. The proposed ESPP's inclusion of the ITUC annual reporting as a source for country eligibility reviews suggests that DFC already understands the essential role of workers' organizations and others in delivering this information. We would encourage DFC to go further and incorporate the sectoral analyses provided by relevant unions and global union federations when evaluating environmental and social risks.	Labor, Consultation	N	External parties are included in the Country Eligibility Review Criteria in determining country eligibility under 10(e).
258	DOL/ILAB	B	Large-scale primary agriculture/plantation or forestation involving intensification, land use change or conversion of priority biodiversity features and/or Critical Natural Habitat or conversion of Natural Habitat.	Suggest adding palm oil here or as a separate item given the high labor and environmental risks.	Labor, Forests	N	Large scale palm oil plantations are considered within this category.
259	DOL/ILAB	6.1.3.	Summary of grievances received from Project Affected People or Stakeholders and actions taken to resolve them	Including Workers	Labor, Reporting	N	The definition of Project Affected People already includes workers.
260	AFL-CIO	6.1.4.	Clients are required to facilitate the third-party audit(s) as required by DFC, including covering all costs associated with conducting the audit.	Who picks the auditor. If the client picks the auditor and pays for the audit, there are obviously opportunities for the corruption of the audit.	Monitoring	N	DFC approves the auditor and scope of the audit.
261	AFL-CIO	6.1.6.	Clients are required to retain the rights afforded under each investment structure, to ensure that DFC has the rights to (1) visit and inspect Project site(s);	unannounced	Monitoring	N	This is currently not feasible for DFC.
262	CARE	6.0.3.	Selection for monitoring site visits is determined through a risk-based prioritization process. The scope, timing, and periodicity of the visits are commensurate with the significance and severity of environmental and social risks and impacts of a Project, Client, or Financial Intermediary. These visits are intended to check for on-the-ground compliance, identify areas where the Project is implementing good practices and/or potential areas for improvement, and enable an opportunity for Workers, Project Affected People, and other Stakeholders to interact and provide feedback on the Project to DFC.	I think this needs a bit more clarity. Specifications on the range of frequency per Category and/or an example may be helpful.	Monitoring	N	Further specificity is captured in internal guidance and procedures.
263	CSO Group	6.0.2.	The extent and frequency of monitoring will be commensurate with the environmental and social risks associated with the Project. DFC undertakes monitoring through review of environmental and social reports (client self-reporting and/or third-party reports), communication with Clients regarding the Project's environmental and social performance and/or site visits to Projects by DFC's environmental and social specialists and/or independent experts.	Should be required through third party reports. Tracked Changes: The extent and frequency of monitoring will be commensurate with the environmental and social risks associated with the Project. DFC undertakes monitoring through review of environmental and social reports (client self-reporting and/or third-party reports), communication with Clients regarding the Project's environmental and social performance and/or site visits to Projects by DFC's environmental and social specialists and/or independent experts.	Monitoring	N	DFC identifies projects, mode, and frequency of monitoring activities commensurate to the specific risk profile of project.

			Selection for monitoring site visits is determined through a risk-based prioritization process. The scope, timing, and periodicity of the visits are commensurate with the significance and severity of environmental and social risks and impacts of a Project, Client, or Financial Intermediary. These visits are intended to check for on-the-ground compliance, identify areas where the Project is implementing good practices and/or potential areas for improvement, and enable an opportunity for Workers, Project Affected People, and other Stakeholders to interact and provide feedback on the Project to DFC.	Track Changes: Selection for monitoring site visits is determined through a risk-based prioritization process. The scope, timing, and periodicity of the visits are commensurate with the significance and severity of environmental and social risks and impacts of a Project, Client, or Financial Intermediary. However, for all Category A and B projects site visits will be conducted by DFC staff or independent consultants every 6 months during construction, every 12 months during implementation, and at any time that project risk is reassessed and found to have increased. DFC will additionally facilitate participatory monitoring by project-affected communities.	Monitoring	N	DFC identifies projects, mode, and frequency of monitoring activities commensurate to the specific risk profile of project.
264	CSO Group	6.0.3.					
265	Laurent Christian Rim	Letter		DFC is currently reviewing and updating its Environmental and Social Policy and Procedures (ESPP) – the first major revision effort since 2016. We have been associated with this important exercise and we thank you for this great sign of benevolence. We would like to welcome and appreciate this initiative, which provides us with additional information, as part of the preparation and sending of our loan application, repayable to finance a plant for the processing of natural plants into finished and marketable pharmaceutical products. Our project benefits from the contribution of an Indian firm up to 40% of the total costs. The weakness of our current production has led us to consider a partnership with the Americans and the Indians to install a production unit to cover a market, of tens and tens of millions of persons, whose needs are increasingly growing in innovative health products as evidenced by the letters-order, which are sent to us and which we will send to you with our business plan, the Deloitte financial audit certificate, the contract with the Indians, a sheet of the various products already on the market, as well as, laboratory certificates, and other information about the STPN BIO, for all practical purposes. We regret that we receive the above mentioned document (Environmental and Social Policy and Procedures (ESPP)) only today, which did not allow us to conduct an in-depth analysis to enrich it with our proposals. As a potential client of DFC, which we have been following since its launch on December 20, 2019, we hope through the aforementioned project to soon engage in a win-win partnership with this prestigious financial institution.	NA	NA	Thank you for the comments.
266	CSO Group	1.2.1.	Not tolerate any action that amounts to retaliation or reprisals – including threats, intimidation, harassment, or violence – against those who voice their opinion regarding the activities of DFC or its Clients	Tracked Changes (added text): DFC will treat retaliation or reprisals as material non-compliance in accordance with section 7.1.	Non-retaliation	N	Additional detail and guidance will be captured in the procedures.
267	CSO Group	Cover letter		4) R etaliation and Reprisals: We are pleased that DFC outlines its requirement that clients do not tolerate any action that amounts to retaliation or reprisals – including threats, intimidation, harassment, or violence (Section 1.2), matching the priorities of the U.S. at the MDBs. We also commend DFC for including the risk of reprisals as a key element for DFC to consider when assessing the contextual risk that could negatively impact the ability of a client to meet the Applicable Standards (Appendix C). However, DFC should expand and clarify this language, either in the ESPP itself or in a separate public policy, to include the following: a) R eguidance for staff and clients on designing projects sensitive to reprisal risks and include measures to prevent reprisals, especially within stakeholder engagement and grievance redress components. b) R eprotocols for responding to reprisals. c) R eclear commitment to investigate and take action on each complaint received.	Non-retaliation	N	Additional detail and guidance will be captured in the procedures.
268	EarthRights	Letter		In addition to the non reprisal commitment in section 1.2.1, we urge DFC to include in its Appendix A –Categorical Provisions an exclusion of financing to companies with a prior history of a pattern of engaging in reprisal or retaliation against project stakeholders. Such a provision would help DFC avoid engagements with companies that could later violate the non reprisal provision of section 1.2.1. We believe that companies with past histories of reprisal or retaliation are more likely to violate other components of the ESPP.	Non-retaliation	N	DFC's current commitments to diligence consider assessing for this type of past performance, including allegations.

269	CSO Group	1.2.1.	Identify, assess, and avoid adverse environmental and social impacts of the Project and, if such impacts are unavoidable, properly minimize, mitigate, compensate, and/or remedy impacts through application of the mitigation hierarchy	Tracked Changes: Identify, assess, and avoid adverse environmental and social impacts of the Project and, if such impacts are unavoidable, properly minimize, mitigate, compensate, and/or remedy impacts through application of the mitigation hierarchy, leaving open the possibility of a “no project” option	Process	N	See update to the intro of Section 3 to clarify this.
270	CSO Group	Cover letter		While having a strong ESPP is important, it is of little use without proper implementation and accountability. DFC should allocate ample budget, resources, and training to build the institutional capacity needed to strengthen its due diligence and supervision processes as the new ESPP goes into effect.	Process	N	Agreed.
271	GLJ-ILRF	3.0.3.	During the screening process, DFC reviews the Project’s anticipated risks and impacts, its defined Area of Influence, and information on Project Affected People to determine whether the information is adequate, accurate, objective, and appropriate to the size and nature of Project activities. Additional information may be required from the Client and from independent experts.	We also note our concern that changes in the wording of the proposed ESPP may limit DFC’s ability to access the information housed in the global networks of labor and human rights activists. The ESPP allows DFC to consult with “independent experts” in its due diligence and monitoring processes (§§ 4.00.6, 4.0.8, 6.0.2, 6.0.4, 6.1.5, 8.2.3). Previously, the DFC was permitted to consult with “knowledgeable third parties.” Given that many trade unions and human rights activists may or may not be considered independent, we believe the DFC should permit consultation with “independent experts and knowledgeable third parties.” That change would ensure that DFC can access these vital networks and access the information needed to perform effective assessments.	Process	N	This is best suited to internal process and is the intent.
272	TNC	1.0.	This ESPP also includes guidance for what DFC Clients need to prepare, submit, and implement .	From a process standpoint, it would be great to have a very clear set of rules and guidance on roles/responsibilities and products of these various processes. For example, the outcome of the screening process should be a standardized roadmap for DFC partner agencies and governments to guide their safeguards work. It should be clear who is producing those resources, how, and when. More clear articulation of the expectations for how and when safeguards resources are submitted to the DFC and the response process from DFC safeguards staff and consultants would be productive as well.	Process	N	This is best suited for internal procedures and guidance.
273	TNC	1.2.1.	To this end, DFC will partner with its Clients to assist them in identifying opportunities to add value, promote longer-term sustainability and strengthen their environmental and social management capacity.	I would start with “avoid risk” here. This is the primary reason for the system. We should be clear that a safeguards process is, first and foremost, a risk mitigation mechanism. TNC encourages an ambitious platform with more robust benefit to communities and vehicles to enhance equity; however, it also makes sense to be clear about the foundational premise of ESMS work as a risk avoidance process.	Process	Y	Updated text.
274	TNC	3.2.1	Where the use of proceeds are unknown or not well defined, the risk category will be based on the inherent risks associated with the particular sector, the environmental and social characteristics of the business activity and the country context.	This should be refined into plans when these risks are further identified.	Process	N	DFC evaluates corporate management systems to make sure they have risk identification and mitigation systems.
275	TNC	3.2.2.	Where the use of proceeds of a Corporate Investment is known and understood the environmental and social review should proceed as it is done for traditional project finance and the Applicable Standards will apply only to the business activities financed using the DFC funds .	This feels like it could create room for accounting that enables high risk activities if accounts are managed to avoid due diligence of those specific activities. I would manage this at the project level. If DFC’s name is on the project, those risks should be understood and managed.	Process	N	The DFC approach is consistent with that applied by other DFIs.
276	TNC	4.1.2.	For Category A and B Projects, the Client should submit one or more documents that describe the following aspects	When does this happen? Is this for screening? This is confusing because it isn’t placed in the project cycle.	Process	Y	See minor clarification in Section 4.2.2. Documents are submitted in various timeframes depending on the status of the Project.
277	TNC	4.1.3.	Category C Projects are not required to establish a formal ESMS but are required to have in place appropriate environmental and social policies and procedures that will guide the Project (as described in Performance Standard 1), human resource management systems, and internal and external facing grievance mechanisms .	It has not been stated elsewhere that A and B require an ESMS. Do they?	Process	N	Section 2.2 identifies the applicability of PS 1 and 2, which include an ESMS commensurate to Project risks and Section 4.1 also notes that an ESMS is expected to be reviewed commensurate to risk. Section 4.2.2 explicitly requires it for Category A and B Projects.
278	TNC	6.0.1.	DFC also monitors changes in the Project and its local context that may affect its environmental and social risk profile and the Project’s ability to achieve ongoing compliance.	Where does it state as a DFC responsibility that it will conduct the screening and recommendations for assessments and mitigation measures?	Process	N	See Chapter 3: Screening and Categorization.

279	TNC	7.0.3.	Based on DFC's environmental and social review (See Section 4.0.), DFC develops appropriate, project-specific conditions required of the Client to achieve compliance with the Applicable Standards. These conditions are included in the DFC Agreement as part of the Environmental and Social Requirements and remain in effect throughout the term of the DFC Agreement. This may come in the form of an Environmental and Social Action Plan (ESAP). ESAPs are required for all Category A projects and for some Category B Projects that are dependent on mitigation and monitoring measures to avoid or reduce potentially significant environmental and social impacts	I would recommend a standard form with an itemized list of requirements for every project regardless of risk category. For piecemeal assessments and risk mitigation recommendations, these recommendations have typically come in a series of emails and correspondence from the DFC to my organization that can be hard to follow and track.	Process	N	To be considered as part of internal guidance. We do have standard templates that we use but every project is different depending on nature and structure of transaction.
280	TNC	7.0.6.	Clients are required to comply with all contractual conditions, including any applicable ESAP, whether or not the Client has a controlling interest in the Project.	Getting an ESAP during the preliminary screening process that outlines the due diligence requirements at the time of the assessment in a definitive way would be ideal.	Process	N	ESAPs are developed after due diligence is complete. They define the actions that must be taken to mitigate risks.
281	TNC	5.1.7.	DFC notifies host country governments of any Category A Project considered for support	Does the DFC not have scope/scale thresholds for notifying national governments? Lower or medium risk projects could have an enormous scope that governments would like want to know about. Also, just a note that the GCF requires no objection letters from governments.	Process, HCN	N	Under its statutory requirements, DFC is required to notify the host government of statutory and other applicable provisions related to public health or environment that are applicable to the project. This applies to proposed DFC financing for any environmentally sensitive investment, but does not require actual thresholds for notification.
282	GLJ-ILRF	4.0.1.	After screening and categorization, and prior to DFC approval, DFC undertakes a review of the Project and the Client's organizational capacity to determine whether the Client meets or can meet the requirements of the Applicable Standards.	The proposed ESPP requires no inquiries into clients' and their partners' past business practices that would clarify the likelihood of compliance. DFC clients should be required to disclose their own and their business partners' past performance in environmental and social matters, especially on other projects financed by development finance institutions. Disclosure of past complaints and any adverse legal determinations on environmental and social matters are the minimum of information necessary to provide a basic evaluation of DFC's partners on a given project. Information about past practices is critical to assessing the bona fides of those DFC considers supporting. Because of poor information-sharing practices among DFIs and a lack of inquiry into past practices, businesses may obtain support even when they have violated domestic laws, disregarded DFI safeguards, or demonstrated an inability or unwillingness to pursue compliance in the past	Process, Disclosure	N	The documents that DFC intends to include for disclosure can be found in Chapter 5.
283	CSO Group	A	Projects or companies that perform abortions as a method of family planning; motivate or coerce any person to practice abortions; perform involuntary sterilizations as a method of family planning; coerce or provide any financial incentive to any person to undergo sterilizations; or perform any biomedical research which relates in whole or in part, to methods of, or in the performance of, abortions or involuntary sterilization as a means of family planning.	Tracked Changes: Projects or companies that perform abortions as a method of family planning; motivate or coerce any person to practice abortions; perform involuntary sterilizations as a method of family planning; coerce or provide any financial incentive to any person to undergo sterilizations; or perform any biomedical research which relates in whole or in part, to methods of, or in the performance of, abortions or involuntary sterilization as a means of family planning.	Prohibition, Hyde	N	The present language of the ESPP (Appendix A, #18) will be carried forward as it continues to reflect legal restrictions imposed on the DFC.
284	TNC	A	Conversion or degradation of Critical Forest Areas or Critical Natural Habitats.	I would suggest to also include Natural Habitats with high biodiversity value. This ensures that certain key biodiversity areas are not left out from potential negative impacts.	Prohibition, Biodiversity	Y	The definitions in Appendix C have been updated to reflect current best practice for the protection of biodiversity.
285	CSO Group	A		Tracked Changes: [Added text] Any direct or indirect impact on free-flowing rivers, defined as bodies of water whose flow and connectivity remain largely unaffected by human activities, unless it can be demonstrated through an environmental and social assessment that the Project (i) will not result in degradation of the protected area and (ii) will produce positive environmental and social benefits.	Prohibition, Dams	N	DFC is not adding new categorical prohibitions at this time.
286	CSO Group	A	Conversion or degradation of Critical Forest Areas or Critical Natural Habitats.	Tracked Changes: Conversion or degradation of Critical Forest Areas, which includes primary forests, old growth forests and vulnerable secondary forests, or Critical Natural Habitats.	Prohibition, Forests	Y	The definitions in Appendix C have been updated to reflect current best practice for protection of biodiversity

287	CSO Group	3.0.2.	Support for a Project will be declined when (1) a Project is a Categorically Prohibited Project (Appendix A); (2) a Project fails to address environmental and social issues in a satisfactory manner and cannot be expected to meet the requirements of the Applicable Standards over a time frame considered reasonable and feasible; (3) residual impacts after mitigation are unacceptable; (4) a Project does not comply with the host country's environmental and social laws or regulations and cannot be expected to comply over a time frame considered reasonable and feasible; (5) a Project does not respect Human Rights including Labor Rights.	Tracked Changes: Support for a Project will be declined when (1) a Project is a Categorically Prohibited Project (Appendix A); (2) a Project fails to address environmental and social issues, providing evidence that the project will not lead or exacerbate negative environmental and/or social issues , in a satisfactory manner and cannot be expected to meet the requirements of the Applicable Standards over a time frame considered reasonable and feasible; (3) residual impacts exist after mitigation are unacceptable; (4) a Project does not comply with the host country's environmental and social laws or regulations and cannot be expected to comply over a time frame considered reasonable and feasible; or (5) a Project does not respect Human Rights including Labor Rights. and rights of Project Affected Peoples, including when Indigenous Peoples and customary land rights holders have withheld consent. Also, in case the affected communities say "no" to the project in line with ILO 169 Convention.	Prohibitions	N	Regarding the Project Affected Peoples edit, this level of detail is incorporated in the existing language and DFC consider these specific rights within the context of Human Rights. On the negative environmental and social issues point, this is what the E&S assessment is meant to evaluate to determine whether there can be appropriate outcomes. Appropriate outcomes do not always equal no risk.
288	CSO Group	A	Resettlement of 5,000 or more persons.	Tracked Changes: Resettlement of 2 5,000 or more persons and/or any Indigenous communities.	Prohibitions	N	At this point, DFC is not changing the threshold for the resettlement prohibition.
289	CSO Group	A		Tracked Changes: [Added text] Companies found by a court or administrative body of competent jurisdiction engaging in unlawful monopolistic practices.	Prohibitions	N	DFC has removed this prohibition as it is adequately covered by KYC procedures and other prohibitions.
290	CSO Group	A		Tracked Changes: [Added text] Projects or companies that provide significant, direct support to a government that engages in a consistent pattern of gross violations of internationally recognized Human Rights, as determined by the U.S. Department of State.	Prohibitions	N	This suggested addition is a duplication of existing text.
291	CSO Group	A		Tracked Changes: [Added text] Large-scale peat extraction.	Prohibitions	N	DFC is not adding new categorical prohibitions at this time.
292	CSO Group	A		Tracked Changes: [Added text] Quarries and opencast mining where the surface of the site exceeds 25 hectares, or peat extraction, where the surface of the site exceeds 150 hectares.	Prohibitions	N	DFC is not adding new categorical prohibitions at this time.
293	CSO Group	A		Tracked Changes: [Added text] Major exploration and development of onshore oil and gas reserves or coal mining and industrial operations that involve coal as a fuel.	Prohibitions	N	DFC is not adding new categorical prohibitions at this time.
294	CSO Group	A		Tracked Changes: [Added text] Exploration and development of offshore oil and gas reserves.	Prohibitions	N	DFC is not adding new categorical prohibitions at this time.
295	CSO Group	A		Tracked Changes: [Added text] Installations for storage of petroleum, petrochemical, or chemical products with a capacity of 200,000 tons or more.	Prohibitions	N	DFC is not adding new categorical prohibitions at this time.
296	CSO Group	A		Tracked Changes: [Added text] Large-scale logging or deforestation of large areas of natural forest.	Prohibitions	N	DFC is not adding new categorical prohibitions at this time.
297	CSO Group	A		Tracked Changes: [Added text] Large-scale primary agriculture/plantation or forestation involving intensification, land use change or conversion of priority biodiversity features and/or Critical Natural Habitat or conversion of Natural Habitat.	Prohibitions	N	DFC is not adding new categorical prohibitions at this time.
298	CSO Group	A		Tracked Changes: [Added text] Pipelines with a diameter of more than 800 mm and a length of more than 40 km, terminals, and associated facilities for the large-scale transport of gas, oil, metals/minerals and chemicals.	Prohibitions	N	DFC is not adding new categorical prohibitions at this time.
299	CSO Group	A		Tracked Changes: [Added text] Any operation that involves rearing animals in feeding operations or feedlots that involve extreme and prolonged confinement, limiting or eliminating animals' access to the outdoors, routine administration of antibiotics with potential for development of antimicrobial resistance, and the routine use of other inhumane practices, including medically unnecessary, painful mutilations.	Prohibitions	N	DFC is not adding new categorical prohibitions at this time.
300	CSO Group	A		Tracked Changes: [Added text] Any production of or trade in commodities that originate from illegally deforested land.	Prohibitions	N	DFC is not adding new categorical prohibitions at this time.

				Tracked Changes: [Added text] Projects, not otherwise categorically prohibited, that are located in or sufficiently near sensitive locations of national or regional importance. or proposed for such status by national governments which may have apparent negative environmental or social impacts on: Wetlands; Areas of archeological or cultural significance including critical cultural heritage; Areas prone to erosion and/or desertification; Areas of importance to indigenous peoples; Primary temperate/boreal Forests; Areas that provide significant ecosystem services; Coral reefs; Mangrove swamps; Habitats or other ecosystems which support priority biodiversity features; Nationally designated seashore areas; and Managed resource protected areas, protected landscape/seascape (International Union for the Conservation of Nature (IUCN) categories V and VI) as defined by IUCN's Guidelines for Protected Area Management Categories. Additionally, these projects must meet IUCN's management objectives and follow the spirit of IUCN definitions.			
301	CSO Group	A			Prohibitions	N	DFC is not adding new categorical prohibitions at this time.
302	CSO Group	A		Tracked Changes: [Added text] Projects that involve extractive industries or related infrastructure in or impacting the Arctic Ocean.	Prohibitions	N	DFC is not adding new categorical prohibitions at this time.
303	TNC	3.0.2.	Support for a Project will be declined when (1) a Project is a Categorically Prohibited Project (Appendix A); (2) a Project fails to address environmental and social issues in a satisfactory manner and cannot be expected to meet the requirements of the Applicable Standards over a time frame considered reasonable and feasible; (3) residual impacts after mitigation are unacceptable; (4) a Project does not comply with the host country's environmental and social laws or regulations and cannot be expected to comply over a time frame considered reasonable and feasible; (5) a Project does not respect Human Rights including Labor Rights.	I would encourage a prohibited activities list rather than a prohibited projects list so you can flesh out specific exclusions.	Prohibitions	N	The categorical prohibition list is a mixture of activities and types of projects.
304	TNC	A	Resettlement of 5,000 or more persons.	This should include any forced resettlement activities, if possible.	Prohibitions	N	IFC PS 5 addresses how Projects should approach displacement. DFC is not adding new categorical prohibitions at this time.
305	TNC	B	Areas of archeological or cultural significance including critical cultural heritage;	I would encourage this as an exclusion.	Prohibitions	N	We appreciate the sensitivity in this case, but apply the mitigation hierarchy and requirements for consultation to determine what the impacts are likely to be and whether they can be appropriately avoided or mitigated.
306	CSO Group	A	Appendix A Categorical Prohibitions	Tracked Changes: [Added text] Any projects that are likely to cause, contribute to, or exacerbate human right violations.(29) (29) Including (but not limited to) violations of ILO core labor standards/ fundamental rights at work, rights of Indigenous Peoples as established under UNDRIP, rights of women per UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and rights of children per UN Convention on the Rights of the Child.	Prohibitions, Gender	N	DFC would not adhere to the requirements of conventions the US is not a party or signatory to.
307	CSO Group	A		Tracked Change: [Added text] Production or activities that result in or contribute to the sexual exploitation, abuse, harassment, or trafficking of individuals.	Prohibitions, Gender	N	DFC takes a risk-based approach to addressing GBVH, including sexual harassment and sexual exploitation and abuse. DFC's requirement is that borrowers identify and understand how these risks arise in their specific context, and put in place proportionate measures to address these risks, including measures to prevent, mitigate risk and respond to incidents of GBVH that may arise.

308	CSO Group	A		Tracked Changes: [Added text] Projects or activities that would fund, or in any way support, the construction, upkeep, or rehabilitation of institutions for persons with disabilities.	Prohibitions, Gender	N	DFC is not adding new categorical prohibitions at this time.
309	TNC	A	Appendix A Categorical Prohibitions	Projects likely to exacerbate local human rights issues or social/political conflicts, projects that fund armed security personnel substantially, projects with a risk of exacerbating risks to women and girls (or LGBTQ communities)? Just some ideas for added exclusions.	Prohibitions, Gender	N	DFC is not adding new categorical prohibitions at this time.
310	CSO Group	A	Any impact on World Heritage Sites ³² unless it can be demonstrated through an environmental and social assessment that the Project (i) will not result in the degradation of the protected area and (ii) will produce positive environmental and social benefits.	Tracked Changes: [Added/Substituted text] Any direct or indirect impact on areas recognized by international conventions and agreements, including but not limited to the Bonn Convention, Ramsar Convention, World Heritage Convention and Convention on Biological Diversity, or other international bodies such as UNESCO (Biosphere Reserves, UNESCO Global Geoparks, etc.) or Food and Agricultural Organization (vulnerable marine ecosystems), International Maritime Organization (particularly sensitive areas), IUCN Designated Areas (Categories IA – VI), unless it can be demonstrated through an environmental and social assessment that the Project (i) will not result in degradation of the protected area and (ii) will produce positive environmental and social benefits.	Protected Areas	N	DFC is not adding new categorical prohibitions at this time.
311	CSO Group	A	Any impact on areas on the United Nations List of National Parks and Protected Areas ³³ unless it can be demonstrated through an environmental and social assessment that the Project (i) will not result in the degradation of the protected area and (ii) will produce positive environmental and social benefits.	Tracked Changes: [Added/Substituted text] Any direct or indirect impact on areas that are nationally or sub-nationally recognized and protected by law or other regulations/policies, including sites which may be located in or overlap with formally, informally, or traditionally held conserved areas such as Indigenous and community conserved areas (ICCA), Indigenous Territories (ITs) or public lands not yet demarcated, unless it can be demonstrated through an environmental and social assessment that the Project (i) will not result in the degradation of the protected area and (ii) will produce positive environmental and social benefits.	Protected Areas	N	DFC is not adding new categorical prohibitions at this time.
312	CSO Group	A	Marine and coastal fishing practices, such as large-scale pelagic drift net fishing and fine mesh net fishing using nets in excess of 2.5 km in length.	Tracked Changes: [Added/Substituted text] Any direct or indirect impact on protected or at-risk marine or coastal ecosystems, including mangrove forests, wetlands, reef systems, and those located in formally, informally, or traditionally held areas, Indigenous Territories (ITs), or public lands not yet demarcated, or Indigenous and community conserved areas (ICCA), unless it can be demonstrated through an environmental and social assessment that the Project (i) will not result in degradation of the protected area and (ii) will produce positive environmental and social benefits	Protected Areas	N	DFC is not adding new categorical prohibitions at this time.
313	CSO Group	A		Tracked Changes: [Added text] Any direct or indirect impact on Indigenous Peoples and Community Conserved Territories and Areas (ICCAs), community-based conservation areas, formally, informally, traditionally, customarily held resources or areas, Indigenous Territories, sacred sites and/ or land with ancestral significance to local and Indigenous communities' areas where the free, prior, informed consent (FPIC) of Indigenous and Local Communities have not been obtained.	Protected Areas	N	This is implied if IFC PS 7 and the requirements for FPIC are applicable.
314	CSO Group	A		Tracked Changes: [Added text] Any direct or indirect impact on Iconic Ecosystems, defined as ecosystems with unique, superlative natural, biodiversity, and/or cultural value which may sprawl across state boundaries, and thus may not be wholly or officially recognized or protected by host countries or international bodies, such as the Amazon, the Arctic, among other at-risk ecosystems, unless it can be demonstrated through an environmental and social assessment that the Project (i) will not result in degradation of the protected area and (ii) will produce positive environmental and social benefits.	Protected Areas	N	DFC is not adding new categorical prohibitions at this time.

315	CSO Group	A	Extraction or infrastructure in or impacting protected area Categories I, II, III, and IV (Strict Nature Reserve/Wilderness Areas, National Parks, Natural Monuments and Habitat/ Species Management Areas), as defined by the International Union for the Conservation of Nature (IUCN) unless it can be demonstrated through an environmental and social assessment (i) there is no degradation of the protected area and (ii) there are positive environmental and social benefits.	Tracked Changes: [Added/Substituted text] Any direct or indirect impact on habitats with endemic or threatened species (categorized as Near Threatened, Vulnerable, Endangered, and Critically Endangered by the IUCN Red List), including Key Biodiversity Areas, unless it can be demonstrated through an environmental and social assessment that the Project (i) will not result in degradation of the protected area and (ii) will produce positive environmental and social benefits.	Protected Areas, Biodiversity	N	DFC is not adding new categorical prohibitions at this time.
316	CSO Group	Cover letter		7)Remedy: When projects harm communities, these harms must be fully remediated. The ESPP's requirement that clients minimize, mitigate, compensate, and/or remedy impacts through the application of the mitigation hierarchy in the event of adverse environmental and social impacts (Section 1.2.1) is a step in the right direction. However, DFC should also develop, through public consultation, a separate policy on remedy that: a)Develops processes to facilitate and provide remedy in consultation with project-affected stakeholders. b)Includes options for remedy from the earliest stages of project negotiation and design, creates provisions in case of harm in contractual agreements with borrowers and clients, and establishes a framework for DFC to contribute to remedy. c)Accounts for how DFC and its clients will remediate harm when the client or DFC exits a project investment.	Remedy	N	DFC is following these conversations with fellow DFIs and other stakeholders. DFC sees the Project requirements in the ESPP and IFC PS as inclusive of these concerns when applied appropriately. Additionally the OOA is available for instances where these issues have not been adequately addressed.
317	GLJ-ILRF	?		We encourage DFC to work towards the development of remedy and responsible exit policies. A remedy policy is crucial for fulfilling DFC's obligation under the UN Guiding Principles to redress human rights violations, while a responsible exit policy would backstop ESPP requirements and ensure that premature project exits do not leave harms unaddressed.	Remedy, Exit	N	Under consideration, thank you.
318	CSO Group	6.1.2.	All DFC Agreements require timely notification to DFC of any incident occurring at the Project site that results in the loss of life or that has a material, adverse impact on or poses material risk to the environment, Workers, or Project Affected People.	Tracked Changes: All DFC Agreements require timely notification within three working days to DFC of any incident occurring at the Project site that results in the loss of life or that has a material, adverse impact on or poses material risk to the environment, Workers, or Project Affected People.	Reporting	N	These detailed are captured in the DFC legal agreements on a Project by Project basis.
319	CSO Group	6.1.3.	Environmental, labor, health and safety deficiencies identified by the local regulatory authorities as well as any remedial actions taken	Tracked Changes: Environmental, labor, health and safety deficiencies identified by the local regulatory authorities, labor and social audits conducted, as well as any remedial actions taken	Reporting	Y	Updated Section 6.1.3 to reflect this practice.
320	GLJ-ILRF	4.2.3	For lower risk, category B projects that don't fall under Paragraph 4.2.1. and 4.2.2. above, such as those that include modernization and upgrade of existing production facilities or no major expansion or transformations, a limited or focused environmental and social analysis or study may be sufficient.	We applaud DFC's attention to employment impacts in its impact-tracking mechanisms, specifically the Impact Quotient. Employment impacts, including indicators of job quality, are a crucial part of DFC's overall development impact, and positive employment impacts are essential to achieving inclusive development. We encourage the DFC to expand on that commitment and require employment impacts assessments for all Category B projects. The proposed ESPP currently indicates that only some Category B projects will receive a full employment impacts assessment (§ 4.2.3).	Reporting	N	Assessments for impacts and protections of the workforce are project and workforce specific. The are also highly dependent on contextual, including regulatory, factors.
321	GLJ-ILRF	4.2.3	For lower risk, category B projects that don't fall under Paragraph 4.2.1. and 4.2.2. above, such as those that include modernization and upgrade of existing production facilities or no major expansion or transformations, a limited or focused environmental and social analysis or study may be sufficient.	We encourage DFC to use its data collection and project assessment requirements to encourage clients to adopt plans and practices that generate inclusive development. For all projects, no matter the category, DFC should require that clients present employment impacts assessments before the projects go before the Board and on a regular basis thereafter.	Reporting	N	All Projects are assessed against the requirements of IFC PS 2.
322	TNC	6.1.3.	All Category A and some Category B Projects are required to submit annual environmental and social reports. At a minimum, environmental and social reports must include information on the following:	Progress on implementation of the ESMP?	Reporting	Y	Updated Section 6.1.3 to reflect this practice.
323	CARE	2.0.1.	Any subsequent revisions to those standards (and any underlying standard or guideline) are incorporated into this ESPP by reference.	Should make a note to say that if standards are revised, that the highest/most progressive standard will be adhered to.	Standards	N	No change.

324	CARE	2.0.2.	When co-financing Projects with other development finance institutions, DFC may apply the standards, in whole or in part, (other than the Performance Standards), of the respective institution to facilitate DFC participation in the transaction.	DFC should take the higher of the two standards.	Standards	N	The concept is that the highest principle is applied, but we do not duplicate standards.
325	CSO Group	2.0.1.	This ESPP adopts, as a standard for the environmental and social review process, the International Finance Corporation's (IFC) Performance Standards on Social and Environmental Sustainability (Performance Standards), and the World Bank Group Environmental, Health and Safety (EHS) Guidelines. Any subsequent revisions to those standards (and any underlying standard or guideline) are incorporated into this ESPP by reference.	Tracked Changes: This ESPP adopts, as a standard for the environmental and social review process, the International Finance Corporation's (IFC) Performance Standards on Social and Environmental Sustainability (Performance Standards), and the World Bank Group Environmental, Health and Safety (EHS) Guidelines. DFC will align with the pro-homine principle of human rights and adopt the policy that is most protective of vulnerable groups, specific to each project and context. Any subsequent revisions to those standards (and any underlying standard or guideline) are incorporated into this ESPP by reference.	Standards	N	The way DFC is approaching these issues is adequately captured across the ESPP, IFC PS, and in guidance/practice.
326	CSO Group	2.0.2.	When co-financing Projects with other development finance institutions, DFC may apply the standards, in whole or in part, (other than the Performance Standards), of the respective institution to facilitate DFC participation in the transaction. In such circumstances, DFC may adopt a common approach with co-financiers for Project assessment, review, management of environmental and social risks and impacts, monitoring, and reporting only when that approach is considered materially consistent in content and outcomes with the ESPP and the Applicable Standards.	Tracked Changes: When co-financing Projects with other development finance institutions, DFC may apply the standards, in whole or in part, (other than the Performance Standards), of the respective institution to facilitate DFC participation in the transaction. However, DFC will always adopt the highest standard, whether that is the standard of DFC or a co-financing development institution. In such circumstances, DFC may adopt a common approach with co-financiers for Project assessment, review, management of environmental and social risks and impacts, monitoring, and reporting only when that approach is considered materially consistent in content and outcomes with the ESPP and the Applicable Standards. In all circumstances, the DFC's OOA shall be able to receive and address complaints concerning co-financed projects.	Standards	N	No change will be made to this section as the DFC will adhere to highest international best practice, and the information about the availability of the IAM is available elsewhere in the ESPP.
327	CSO Group	2.1.1.	In addition to compliance with all applicable laws, at a minimum, DFC requires that all Projects meet the Performance Standards, applicable EHS Guidelines, and Labor Rights. These are collectively referred to as DFC's Applicable Standards. The relevant provisions of this ESPP together with the Applicable Standards are referred to as DFC's Environmental and Social Requirements.	Tracked Changes: In addition to compliance with all applicable laws, at a minimum, DFC requires that all Projects and Sub-projects meet the Performance Standards, applicable EHS Guidelines, and Labor Rights. Additionally, clients must abide by the United Nations Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises(5), and international human rights treaties ratified by the country where the client will operate. These are collectively referred to as DFC's Applicable Standards. The relevant provisions of this ESPP together with the Applicable Standards are referred to as DFC's Environmental and Social Requirements. (5)DFC will apply updated versions of these standards as they are issued.	Standards	N	Thank you for your suggestion. The standards referenced in this comment are among those that are considered during assessment of proposed projects, where those standards may be applicable.
328	DOL/ILAB	2.0.2.	When co-financing Projects with other development finance institutions, DFC may apply the standards, in whole or in part, (other than the Performance Standards), of the respective institution to facilitate DFC participation in the transaction. In such circumstances, DFC may adopt a common approach with co-financiers for Project assessment, review, management of environmental and social risks and impacts, monitoring, and reporting only when that approach is considered materially consistent in content and outcomes with the ESPP and the Applicable Standards.	This could ensure that the more protective of the two approaches applies.	Standards	N	The concept is that the highest principle is applied.
329	GLI-ILRF	6.0.5.	If DFC identifies deficiencies in performance and/or non-compliance with the Applicable Standards, DFC will work with clients to identify recommendations for improvements and appropriate corrective measures, in the case of non-compliances. If the Client fails to comply with the agreed corrective measures, DFC may take such action and/or exercise such rights and/or remedies contained in the DFC Agreement that it deems appropriate (See Para 7.0.3.).	We are also concerned by the absence of a firm deadline for achieving compliance with the Applicable Standards. While each project presents its own compliance difficulties, the absence of a timeframe deprives compliance efforts of urgency and impetus. Projects may cause or contribute to significant harm in a short period of time. DFC's ability to influence the conduct of projects may also wane over time. Lacking a compliance deadline, therefore, DFC may find itself associated with significant harms without the ability to correct project practices. Such deadlines should be published so that stakeholders may contribute to DFC's assessments of projects progress towards or achievement of compliance.	Standards	N	Details such as timeframes for compliance can be distinct from project to project. These types of details with respect to the ESPP requirements are established by the assessment and captured in the legal agreements.

330	GLI-ILRF	6.0.5.	If DFC identifies deficiencies in performance and/or non-compliance with the Applicable Standards, DFC will work with clients to identify recommendations for improvements and appropriate corrective measures, in the case of non-compliances. If the Client fails to comply with the agreed corrective measures, DFC may take such action and/or exercise such rights and/or remedies contained in the DFC Agreement that it deems appropriate (See Para 7.0.3.).	We believe that is vital that clients understand that projects must comply with all the Applicable Standards—not simply those specifically noted in their contracts or in environmental and social action plans. We encourage DFC to ensure that clients do not misunderstand the scope of their obligations.	Standards	N	The Applicable Standards that are required for any given project are captured in the legal agreement.
331	IRMA	2.4.	2.4.5 Supplemental Sector-Specific Requirements	<p>include elaboration of requirements that address the unique impacts of these projects, including but not limited to ongoing community and stakeholder engagement, human rights due diligence, complaints and grievance mechanisms and access to remedy, revenue and payments transparency, ESIA and management plans, FPIC, community benefit sharing, gender equality and gender protections, resettlement, emergency preparedness and response, planning and financing reclamation and closure, labor rights, OHS, community health and safety, Conflict-Affected or High-Risk Areas, Security Arrangements, engaging with Artisanal and Small-Scale Miners, cultural heritage, waste and materials management, water management, air quality, noise and vibration, GHG emissions, biodiversity, ecosystem services, and protected areas, and cyanide and mercury management.</p> <p>The Initiative for Responsible Mining Assurance (IRMA) Standard for Responsible Mining elaborates a robust set of requirements for industrial-scale mining. IRMA is in the process of expanding this Standard to include mineral exploration and mineral processing. IRMA standards are available at https://responsiblemining.net/resources/#resources-standard.</p> <p>In addition to including opportunities to integrate nature-based solutions and climate adaptation, the sector-specific requirements should cover opportunities to integrate circularity. Circularity, in the context of mineral development, can embody many different concepts, from striving for zero waste or zero pollution systems and closed-loop water and chemical management, to finding ways to re-purpose materials that might otherwise become waste (i.e., they become raw materials for other purposes), re-mining waste materials, creating energy from wastes, utilizing renewable energy sources, capturing carbon dioxide from wastes, sequestering carbon in wastes, prioritizing quality equipment to minimize turnover,</p>	Standards	N	DFC will consider this suggestion and possibly include this at a later date.
332	TNC	2.0.2.	When co-financing Projects with other development finance institutions, DFC may apply the standards, in whole or in part, (other than the Performance Standards), of the respective institution to facilitate DFC participation in the transaction. . In such circumstances, DFC may adopt a common approach with co-financiers for Project assessment, review, management of environmental and social risks and impacts, monitoring, and reporting only when that approach is considered materially consistent in content and outcomes with the ESPP and the Applicable Standards.	I would articulate a process or some guidance on the process for decided on roles/responsibilities here. Who is responsible and when? A determination should be made early which entity makes the most sense and is best equipped to manage this process for co-financed projects. I would encourage committing to the more robust of the available standards wherever possible also.	Standards	N	This level of detail is captured in Project-specific legal agreements.
333	TNC	2.1.2.	Performance Standard 1 (Assessment and Management of Environmental and Social Risks and Impacts) and Performance Standard 2 (Labor and Working Conditions) are applicable to all Projects and Clients regardless of their environmental and social risks and impacts. Applicability of the other Performance Standards and any other sector-specific requirements is dependent on the nature of the Project and its environmental and social risks and impacts	I would not frame as applicability. If you commit to the IFC standards, they are all applicable. It is just that in some cases they do not require extensive due diligence and safeguarding. Maybe you can say that PS #1 and PS #2 are assessed in a due diligence process for all projects instead?	Standards	N	All of the IFC Performance Standards are potentially applicable for a given project; however, not all are always actually applicable depending on the nature of the project. DFC screens projects against all the IFC PS to determine scope of applicability.
334	TNC	2.1.3.	In accordance with the provisions of Performance Standard 3 (Resource Efficiency and Pollution Prevention), alternative pollution prevention and control technologies may be approved, provided that (1) the alternative performance levels are consistent with the overall requirements of Performance Standard 3; and (2) the alternative performance levels are protective of the environment and Project Affected People within the Area of Influence.	Why do you make a special note about PS #3 alternatives and not the rest?	Standards	N	There have been advances in control technologies since the World Bank EHS guidelines were first issued in 2007. DFC wants to reserve the right to consider more advanced technologies that may be more effective in addressing pollution under PS3.

335	TNC	2.3.2.	Projects that involve new facilities or business activities must be designed to meet the Applicable Standards .	Not clear why only applicable standards need to be applied for new facilities and business activities and not also the E&S Requirements.	Standards	N	Section 2.3.1 states that all projects must meet the Environmental and Social Requirements. Section 2.3.2 is saying that any physical asset or business activity that will be newly designed with DFC support, needs to be designed to meet the Applicable Standards from the start. And finally, Section 2.3.3 is saying that if DFC support goes toward upgrading or improving or otherwise toward existing assets or business activities, compliance may be reached over time depending on the specific risk profile.
336	TNC	2.4.	2.4.5 Supplemental Sector-Specific Requirements	Does this imply that PS#3 - PS #10 are supplementals? The applicability of the IFC standards is unclear. If PS#1 and PS#2 are the only standards applied for all projects, this is not the standard approach of most development banks assessing each PS.	Standards	N	All of the IFC PS are potentially applicable for a given project; however, not all are always actually applicable depending on the nature of the project.
337	TNC	3	Objectives: (1) to determine eligibility of the Project and Client for DFC support on environmental and social grounds; (2) to determine a risk categorization for the Project based on the nature and magnitude of environmental and social risks and impacts, (3) to identify issues to be investigated in detail in the environmental and social review process; and (4) to determine requirements for documentation, consultation, disclosure, monitoring and reporting.	I would articulate the standard you plan to screen for projects. Screening all PS's for every project? It is hard to tell because earlier you state that PS#1 and PS#2 are the only ones that always apply.	Standards	N	All of the IFC PS are potentially applicable for a given project; however, not all are always actually applicable depending on the nature of the project.
338	GLJ-ILRF	6.1.6.	Clients are required to retain the rights afforded under each investment structure, to ensure that DFC has the rights to (1) visit and inspect Project site(s); (2) access Project and Subproject environmental and social performance monitoring records, including human resources records; and (3) meet with Project and Subproject management and Project Affected People, including Workers.	In our experience, many businesses receive development financing without a sufficient understanding of their environmental and social obligations and without adequate preparations for implementing their commitments. This has presented a particularly critical impediment to achieving compliance where clients contract away authority to manage and/or operate parts of the projects to other firms who have not engaged with DFC staff or made clear commitments to ESPP compliance. To address those risks, we believe DFC should require its clients, in their project-related contracting, to retain the authority to achieve compliance with ESPP requirements. Alternatively, DFC could require that clients include ESPP compliance as a material requirement of their contracting with businesses working on DFC-supported projects (§ 6.1.6).	Standards, Contracts	N	As a general rule when projects involve significant (in time or materiality) contractors and subcontractors DFC flows down the compliance clauses highlighted in the comment. See Section 7.0.5 for this commitment.
339	GLJ-ILRF	6.0.5.	If DFC identifies deficiencies in performance and/or non-compliance with the Applicable Standards, DFC will work with clients to identify recommendations for improvements and appropriate corrective measures, in the case of non-compliances. If the Client fails to comply with the agreed corrective measures, DFC may take such action and/or exercise such rights and/or remedies contained in the DFC Agreement that it deems appropriate (See Para 7.0.3.).	In the ESPP, we encourage DFC to provide more detail concerning the contractual remedies available to DFC in case of noncompliance. Doing so will highlight the consequences of noncompliance and encourage project teams to take compliance obligations seriously and plan accordingly (§ 6.0.5).	Standards, Contracts	N	DFC includes provisions for non-compliance with elements of the ESPP in each of its project contracts, and contractual terms may vary by project.
340	TNC	2.4.	Supplemental standards may include (1) relevant and applicable U.S. federal standards; (2) standards issued by other international organizations relating to public health, safety, and the environment such as those from the World Health Organization, the International Maritime Organization, the Food and Agriculture Organization, or the International Civil Aviation Organization ; and (3) standards of best practice developed by governments, other development finance institutions, industry associations, or non-governmental organizations.	What about human rights?	Standards, Human Rights	N	DFC considers human rights within the scope of the IFC Performance Standards and would not consider human rights as a separate, supplemental standard.

			Supplemental standards may include (1) relevant and applicable U.S. federal standards; (2) standards issued by other international organizations relating to public health, safety, and the environment such as those from the World Health Organization, the International Maritime Organization, the Food and Agriculture Organization, or the International Civil Aviation Organization ; and (3) standards of best practice developed by governments, other development finance institutions, industry associations, or non-governmental organizations.	Suggest adding the ILO, which could include sectoral Codes of Practice, or sector-specific conventions and recommendations. Code of Practice (Safety and health at work) (ilo.org)			
341	DOL/ILAB	2.4.		Sectoral standards (SECTOR) (ilo.org)	Standards, OHS	Y	Please see addition in Section 2.4.
342	CSO Group	1.1.	This ESPP does not apply to DFC's technical assistance activities.		TA	N	The ESPP does not apply to Technical Assistance activities.
343	CSO Group	Cover letter		2)Scope: Section 1.1 limits the scope of the ESPP, stating that it does not apply to DFC's technical assistance activities. Technical assistance activities lead to the design and implementation of projects and can cause harm to project-affected communities. Several complaints have been filed to DFIs' accountability mechanisms concerning the environmental and social impacts of technical assistance projects. To prevent harm, the ESPP should apply to all of DFC's activities, including technical assistance.	TA	N	The ESPP does not apply to Technical Assistance activities.