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## 204.2104 Waivers.

The Secretary of Defense may waive the prohibition in [204.2102](#) (a) on a case-by-case basis for a single, one-year period, if the Secretary—

- (a) Determines such waiver to be in the national security interests of the United States; and
- (b) Certifies to the Congressional defense committees that—
  - (i) There are sufficient mitigations in place to guarantee the ability of the Secretary to carry out the covered missions; and
  - (ii) The Secretary is removing the use of covered defense telecommunications equipment or services in carrying out such missions.

**Parent topic:** [Subpart 204.21 - PROHIBITION ON CONTRACTING FOR CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT](#)