PGI 225.7019-3 Waiver.

- (a) The following are factors to take into consideration for granting a waiver:
- (1) The energy supply system is physically incapable of segregating Russian Federation energy from non-Russian Federation energy.
- (2) The installation can only obtain the necessary energy from its current supplier without the unaffordable expense of constructing new supply lines.
- (3) The price of requiring the supplier to segregate the energy is unaffordable and would result in the installation being unable to perform its mission within its budget authority.
- (4) Consideration, by the requiring activity, of installation energy and security resilience has been taken into account (e.g., on-site sources of energy and fuel resupply would allow the installation to continue to perform its mission even with disruption of Russian Federation-sourced energy, the installation has addressed energy resilience and security risks and vulnerabilities, etc.).
- (b) The head of the contracting activity shall submit to the congressional defense committees a notice of the waiver with a copy to DPCAP, Contract Policy, via email at osd.pentagon.ousd-a-s.mbx.dpc-cp@mail.mil, at least 14 days before the award of an energy contract on the basis of an approved waiver. The notification shall include a copy of the waiver. The contracting officer shall include a copy of the approved waiver in the contract file.

Parent topic: PGI 225.7019 Prohibition on use of certain energy sourced from inside the Russian Federation.