

## Pre-Application Consultation

The Department of Homeland Security wishes to make the application process as smooth and interactive as possible in order to hasten the deployment of anti-terrorism technologies to protect America.

In this context, we have made available an optional pre-application consultation. These consultations are provided at no cost and offer you the opportunity to have a teleconference with DHS. This optional pre-application allows you to:

- Receive a preliminary assessment of your product or service and its potential eligibility for SAFETY Act liability protections.
- Obtain assistance on completing the applications for Designation and Certification.
- Ask us questions!

## How to Apply to the SAFETY Act

The SAFETY Act application kit with instructions and forms may be found at [www.safetyact.gov](http://www.safetyact.gov). This site also contains information on the SAFETY Act statute and other reference materials.



[WWW.SAFETYACT.GOV](http://WWW.SAFETYACT.GOV)

U.S. Department of Homeland Security  
Science and Technology Directorate  
Washington, DC 20528

## Application Support

FAQs and additional reference material are also available at [www.safetyact.gov](http://www.safetyact.gov). If you still have questions, DHS's applicant help desk assists in all matters, including the administrative process of obtaining and completing an application form. Please contact **1-866-788-9318** or [helpdesk@safetyact.gov](mailto:helpdesk@safetyact.gov).

## Proprietary Protection

The Department is committed to protecting intellectual property and other proprietary or sensitive data provided as part of a SAFETY Act application. The Department has instituted strong data protection measures that conform to DoD and DHS information security standards. Further, all application reviewers are screened for conflicts of interests, sign conflict of interest statements for each application they review, and sign general non-disclosure agreements.



# Homeland Security

HELP PROTECT AMERICA  
LIMIT YOUR LIABILITY  
UNLOCK YOUR CREATIVE POTENTIAL



SECURITY & TRUST FROM  
SCIENCE & TECHNOLOGY  
**SAFETY ACT**

**If your company's products or services are developed for anti-terrorism purposes, they may be eligible for legal liability protections.**

The SAFETY Act provides important legal liability protections for providers of Qualified Anti-Terrorism Technologies – whether they are products or services. The goal of the SAFETY Act is to encourage the development and deployment of new and innovative anti-terrorism products and services by providing liability protections.

**The SAFETY Act liability protections apply to a vast range of technologies, including:**

- **Products**
- **Services**
- **Software and other forms of intellectual property**

This brochure outlines the key steps you must take to qualify your products and services for the liability protections afforded by the SAFETY Act. Successful applicants will have their technologies deemed as "Qualified Anti-Terrorism Technology" and receive the liability and litigation management protections provided for by the SAFETY Act.

### Benefits to your Company

The Support Anti-terrorism by Fostering Effective Technologies Act of 2002 (the SAFETY Act) provides two levels of liability protections to help promote the creation, deployment and use of anti-terrorism technologies:

#### DESIGNATION

The seller's liability for products or services that are deemed "Designated Technologies" is limited to the amount of liability insurance that the Department of Homeland Security and the seller mutually determines the seller must maintain.

#### CERTIFICATION

In addition to the benefits provided under Designation, Certification allows a seller of an anti-terrorism technology to assert the Government Contractor Defense for claims arising from acts of terrorism. Technologies that receive Certification will be also placed on DHS's Approved Products List for Homeland Security.

### Eligibility Requirements

How does the SAFETY Act define an "anti-terrorism technology"?

Any technology that is designed, developed, modified or procured for the specific purpose of preventing, detecting, identifying, or deterring acts of terrorism or limiting the harm such acts might otherwise cause.

Are there limitations on the types of technologies that can receive liability protections?

The SAFETY Act applies to almost every conceivable technology:

- Products
- Services
- Software
- Combinations of products, services, and software

In recognition of the broad range of threats and possible countermeasures, the SAFETY Act applies to design services, program management and integration services, vulnerability assessments, and other analyses relevant to U.S. Homeland Security.

### DHS's Evaluation of Your Technology

Your product or service will be evaluated by knowledgeable technical experts to determine if it meets the statutory requirements of the SAFETY Act.

Some critical criteria for "Designation":

- Is your product or service available, useful, and effective?
- Is your product or service an anti-terrorism technology?
- Is the seller exposed to liability?
- Does the product or service need SAFETY Act protections to be deployed or further deployed?

To receive "Certification," your product or service must satisfy the following additional review:

- Does it perform as intended?
- Does it conform to the seller's specifications?
- Is it safe for use?

### TYPICAL ANTI-TERROR PRODUCTS AND SERVICES INCLUDE:

- THREAT AND VULNERABILITY ASSESSMENT SERVICES • DETECTION SYSTEMS • BLAST MITIGATION MATERIALS
- SCREENING SERVICES • SENSORS AND SENSOR INTEGRATION • VACCINES AND BIOLOGICAL COUNTERMEASURES
- METAL DETECTORS • DECISION SUPPORT SOFTWARE • SECURITY SERVICES • DATA MINING SOFTWARE