

Tips for Submitting SAFETY Act Developmental Testing & Evaluation (DT&E) Designation Applications

January 23, 2014

Office of SAFETY Act Implementation
DHS Science and Technology



**Homeland
Security**

Science and Technology



Webinar Outline

SAFETY Act

- Brief Overview of the Act
- Security of SAFETY Act Materials

Standard vs. DT&E Designation

- Definitions
- Differences and Challenges

Preparation of Applications:

- SAFETY Act Process
- Creating a DT&E Designation Submission

Areas of Information

- Technical Description
- The Test Scenario
- Steps for Deployment and Operation
- Effectiveness and Utility
- Liability Exposure
- Insurance Information

Resources

- Additional Information and Contact Details



The SAFETY Act

- The Support Anti-terrorism by Fostering Effective Technologies Act of 2002 (SAFETY Act) was enacted as part of the Homeland Security Act of 2002 (Title VIII, Subtitle G).
- Intended to facilitate the development and deployment of effective ***Anti-Terrorism Technologies*** by creating systems of “risk and litigation management”.
- Only applies if the Secretary of Homeland Security declares that an act is an Act of Terrorism for purposes of section 865(2) of the SAFETY Act.

Developmental Test & Evaluation (DT&E) Designations

Facilitate the deployment of promising anti-terrorism technologies (TRL6) in the field for additional testing and evaluation or in response to exigent circumstances.

Usually for Technology that:

- Is in a prototype stage
- Has lab tests that are not operational in nature
- Indicated potential effectiveness
- Has a testing scenario identified and “customers” to prove relevant metrics



DT&E Designated

DT&E Designations

- Include limitations on the use and deployment of the subject technology.
- Remain terminable at-will by the DHS should any concerns regarding the safety of technology arise.
- Have a limited term not to exceed 36 months.
- Apply only to acts that occur during the period set forth in the particular DT&E Designation.

DT&E Designation Application Process

- DT&E Designation applications are typically submitted electronically. To begin the process, you should create a SAFETY Act account via the SAFETY Act Web site:
<https://www.safetyact.gov>.
- Security of the Web site is certified and accredited by the DHS Chief Information Officer.
- All application reviewers sign Conflict of Interest/Non-Disclosure Agreement statements per application.



DT&E Designation Application Form



PRINTER FRIENDLY MATERIALS

CATEGORY: ALL Documents

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CHAPTER 1. ABOUT THE SAFETY ACT APPLICATION KIT.....

CHAPTER 2. DHS Form 10010: REGISTRATION AS A SELLER OF ANTI-TERRORISM TECHNOLOGY.....

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CHAPTER 4. DHS Form 10008: APPLICATION FOR SAFETY ACT DESIGNATION.....

CHAPTER 5. DHS Form 10007: APPLICATION FOR SAFETY ACT CERTIFICATION.....

CHAPTER 6. DHS Form 10006: APPLICATION FOR SAFETY ACT DEVELOPMENTAL TESTING AND EVALUATION DESIGNATION.....

CHAPTER 7. DHS Form 10005: SAFETY ACT BLOCK DESIGNATION APPLICATION.....

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CHAPTER 9. DHS Form 10003: NOTICE OF LICENSE OF QUALIFIED ANTI-TERRORISM TECHNOLOGY..... 89

CHAPTER 10. DHS Form 10002: NOTICE OF MODIFICATION OF QUALIFIED ANTI-TERRORISM TECHNOLOGY.....94

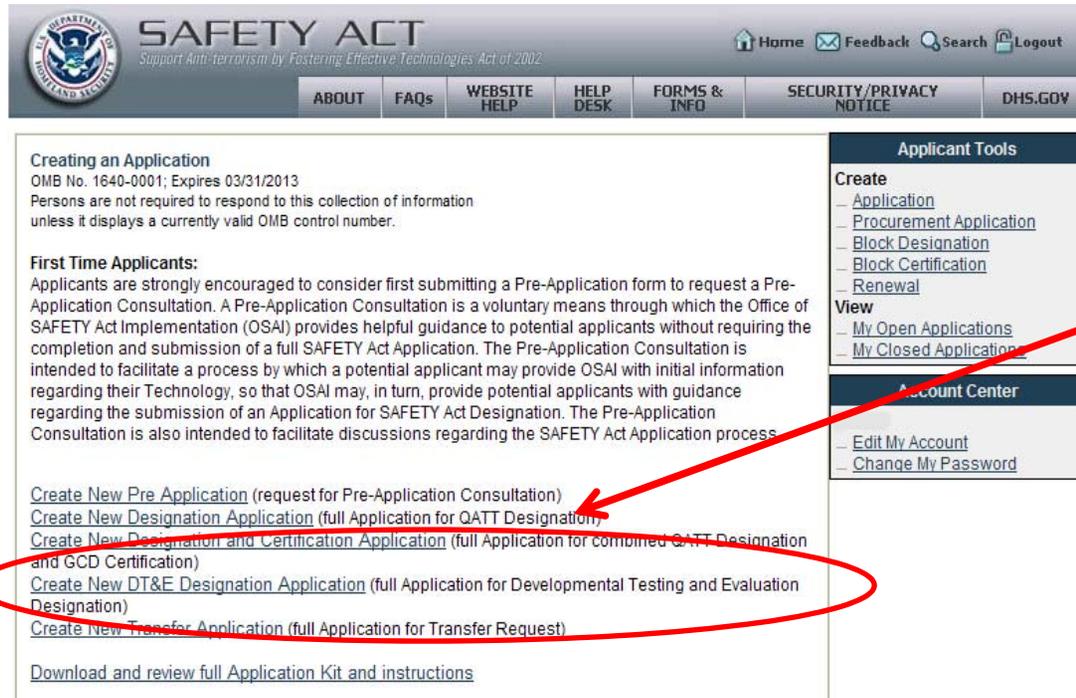
CHAPTER 11. DHS Form 10001: APPLICATION FOR TRANSFER OF SAFETY ACT DESIGNATION.....101

CHAPTER 12. DHS Form 10057: APPLICATION FOR RENEWAL.....109

- Application Kit (PDF)
- Application for Block Certification and Instructions
- Application for Block Designation and Instructions
- Application for Certification and Instructions
- Application for D,T and E Designation and Instructions**
- Application for Designation and Certification and Instructions
- Application for Designation and Instructions
- Application for Registration and Instructions
- Application for Transfer and Instructions
- Block Standards Instructions
- Contour Instructions
- Final SAFETY Act Rule (PDF)
- GRaDER Block Designation Notice

DT&E Designation application and instructions can be viewed at www.safetyact.gov.

Creating a DT&E Designation Submission*



The screenshot shows the SAFETY ACT website interface. At the top, there is a navigation bar with links for Home, Feedback, Search, and Logout. Below this is a menu with categories: ABOUT, FAQs, WEBSITE HELP, HELP DESK, FORMS & INFO, SECURITY/PRIVACY NOTICE, and DHS.GOV. The main content area is titled 'Creating an Application' and includes information about OMB No. 1640-0001 and a deadline of 03/31/2013. It also features a 'First Time Applicants' section and a list of application options: 'Create New Pre Application', 'Create New Designation Application', 'Create New Designation and Certification Application', 'Create New DT&E Designation Application', and 'Create New Transfer Application'. A red circle highlights the 'Create New DT&E Designation Application' link, with a red arrow pointing to it from the text on the right. To the right of the main content is a sidebar with 'Applicant Tools' (Create and View sections) and an 'Account Center' section.

Login in to the Web site and select “Create New DT&E Designation Application.”

NOTE: You must have created an account first!

Tip: Make sure you compile all necessary attachments and ensure the readability of all files you upload!

* Please contact OSAI if you need to submit paper materials.

Topical Areas “To Do” List

- Technology Development
 - In coordination with Government agencies?
 - Component, laboratory, or developmental tests completed?
- Have a Test Plan!
 - How do you measure success and effectiveness?
- Liability exposure and deployment plans (based on the test plan)
- Insurance and Financials





Technical Description: Application Items TE4-5



The Technology = What You Sell/Provide/Offer

1. Tell us what you do or what you provide with a sufficient degree of specificity .
2. Focus on the anti-terrorism aspects.

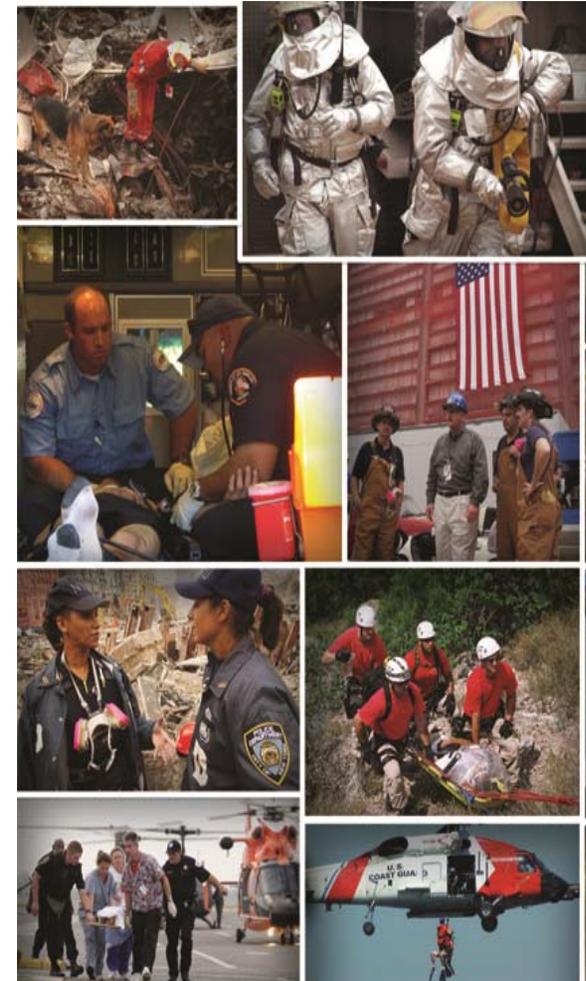
Tip: Scope Matters - avoid a broad description
Tip: Be Clear and Concise



Test Scenario: Application Item TE6

Outline of test plan/scenario may include:

- Nature of the test
- The entity that will conduct the test,
- Relevant time frames
- Proposed test methodology
- Location of the test
- Summary rationale for conducting the test
- How many units/locations will be tested?
- Who will collect and analyze the data?

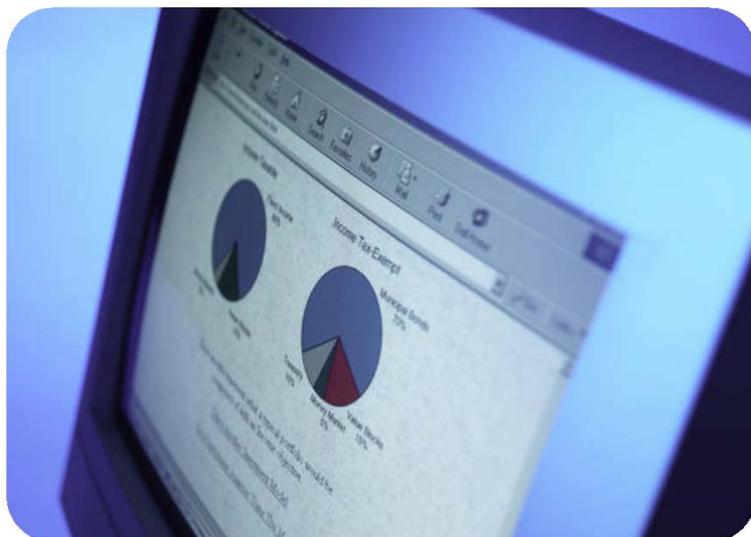




How do you measure the capability and effectiveness of your Technology? What are important metrics for the Technology?

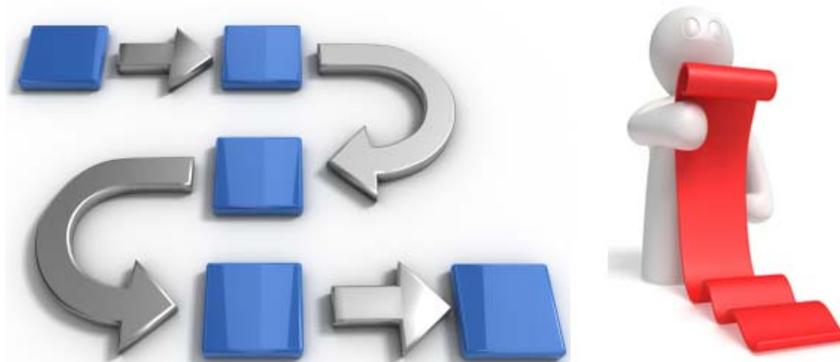
- What are the major operating areas on which the testing will focus?
 - False Alarms? Failure Rate? Detection Rates or Limits? Usability?
- What conditions must be met for the testing to be considered successful?
 - Be specific; for example “False Alarm Rate should be less than 10 percent of alerts,” or “Average Time Between Failures should be more than 10 hours of operation.”
- Will your Technology be evaluated against any existing standards?
- How will the test demonstrate your processes are followed?

Test Plan Tips



Tip: Think about what information is needed to demonstrate the effectiveness and reliability of your Technology before you can deploy or sell it on a large scale.

Tip: Plan Ahead! Results from the test plan can be used to support a future Application for Designation (and possibly Certification) of the Technology.





Deployment and Operation: Application Item TE7

- What processes are required to deploy and operate the Technology?
 - Provide details on how your processes follow industry best practices.
 - Discuss any lessons learned from previous deployments on which your processes are based or have been developed.
- How will you support the testing described in your plan?
 - Training, Maintenance, Installation
 - Is a third party helping you conduct the testing?
- Is there a Quality Assurance or Quality Control plan in place?
 - Tell us how you ensure consistent levels of quality and effectiveness across future deployments.
 - ISO 9000 Quality Management or CMMI Certifications?

Application Item TE9

- How your plans for selling, deploying, or maintaining your Technology would be affected if SAFETY Act DT&E Designation is not issued?
- Do you have any testing partners/sponsors that have made SAFETY Act DT&E Designation protections a requirement/rated criterion before the testing can begin?
- Do you have a corporate policy that would prevent you from carrying out the proposed test plan without SAFETY Act DT&E Designation protections/other types of liability indemnifications?
- How the Technology will be deployed in the future if SAFETY Act DT&E Designation is issued?

Effectiveness and Utility: Application Item TE10

- The Technology should be approaching readiness for operational, field, or pilot tests.
 - Has the Technology been developed with Government oversight or participation?
- Provide any component, laboratory, or developmental test results. Demonstrations or Modeling & Simulation can also support the evaluation.
- Discuss any well-known principles or methods on which the Technology is based.
- Describe any documented processes involved in the deployment of the Technology.

Tip: Case Studies may be more relevant for Service-based Technologies.



Liability Exposure: Application Item TE12.5

- Provide a narrative explaining how the deployment of your Technology *during proposed developmental tests or technology demonstrations* exposes your company to extraordinarily large third-party liability in the event of an Act of Terrorism.
- Make the scenario and third-party liability claims specific to the deployment and use of your Technology.





Insurance and Financials: Application Items TE12 and TE13

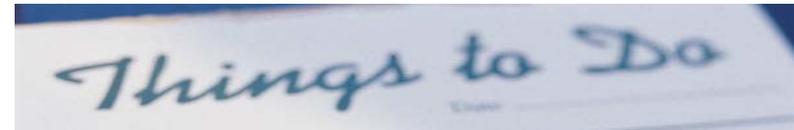
- Provide updated information on your insurance that responds to third-party claims arising from Acts of Terrorism for your Technology *during testing and evaluation*.
- Obtain quotes
- Identify exclusions
- Supply financial Information
 - TE12.4: Technology revenue projections (costs, if not revenue-generating during testing)
 - TE13: Balance sheet, income statement, statement of cash flow (at the same corporate level as the *primary insured* on your insurance policies)



Remember: Everyone who works on a SAFETY Act application signs a Conflict of Interest/Non-Disclosure Agreement statements. If you have concerns about supplying financial data, contact the Help Desk.

Some Do's for Application

- Answer every question.
- Relate your answers to any supporting materials.
- Organize your application in a logical manner, providing a table of contents for any attachments.
- Be clear, concise, and direct.
- Make sure that you have labeled all attachments and that all attachments are readable.
- Contact all points of contact in advance and make sure their contact information is current.
- Continue to collect data, throughout the term of your DT&E Designation.



And Some Don'ts

- We all learn from our mistakes. DON'T be afraid to show us something that didn't work and how you fixed it!
- DON'T hesitate to call OSAI to schedule a consultation at any time.
 - Prior to applying for a DT&E Designation, or
 - While preparing for a future Designation application





Parting Thoughts

- DT&E Designations are a stepping stone on the path to Designations. They are useful to companies of every size.
- Sometimes DT&E Designations don't lead to full Designation and some tests results may not meet expectations but may be a cornerstone to a next generation technology.
- DT&E Designation can be modified, just like Designation and Certification applications. Term extensions are granted on a very limited basis.
- Keep in touch during your DT&E Designation, particularly if you decide to file a Designation application at a future date.



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Additional SAFETY Act Information



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SAFETY Act

*Support Antiterrorism by Fostering
Effective Technologies Act of 2002*

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