



# Application Boot Camp

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## Guidelines for Responding Effectively in Submitting SAFETY Act Applications



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**September 2015**

Office of SAFETY Act Implementation (OSAI)  
Science and Technology Directorate (S&T)

Department of Homeland Security (DHS)

# SAFETY Act Update

- Number of technologies receiving protections is up (65 as of July 2015, vs. 65 in all FY14)
- Nearly 50% of this year's protections are to small businesses
- \$6.34B in Technology revenue
- 136,705 employees



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# What protections are available?

Liability cap

Exclusive action in Federal court

No joint and several liability for non-economic damages

No punitive damages or prejudgment interest



**All benefits of Designation, plus...  
Government Contractor Defense  
Placement of qualified products  
on the Approved Products List for  
Homeland Security**

**Limitations on use and deployment**

**Limited term**

**Liability protections associated apply only  
to acts that occur during the term**



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# What is the SAFETY Act?

- Congress enacted the Support Anti-terrorism by Fostering Effective Technologies (SAFETY) Act as part of the Homeland Security Act of 2002
- Provides legal liability protections for manufacturers and sellers of qualified anti-terrorism technologies that could save lives in the event of a terrorist attack
- Protections apply **only** to claims arising out of, relating to, or resulting from a declared Act of Terrorism when SAFETY Act covered technologies have been deployed



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# Today's Objectives

**Prepare**

**Organize**

**Complete**

**Get help**

**Refine**

- How do you prepare for a SAFETY Act application? How to organize by developing outlines...
- We'll talk about organizing data and suggest information templates
- Discuss the Designation application questions and common gaps
- Do you know what resources are available during the application process? We can help!
- How to refine your application to avoid common mistakes and omissions



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- **Pick** the correct type of application
- **Assess** the questions
- **Think** about the types of information you have available
- **Map** information to the questions
- **Double-check!** Are you filing the correct application?



*There are no secrets to success. It is the result of preparation, hard work, and learning from failure.*

– Colin Powell

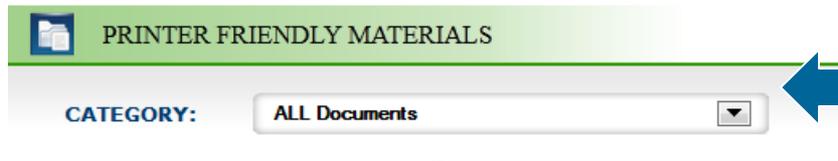


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# Find the Application

1. Visit the website: [www.safetyact.gov](http://www.safetyact.gov)
2. Register with us and Log In
3. Check out the Printer Friendly Materials page!



PRINTER FRIENDLY MATERIALS

CATEGORY: ALL Documents

- 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



LOGIN/APPLY NOW

Fields marked with an asterisk ( \* ) are required.

\*USER NAME User Name

\*EMAIL Email Address

\*PASSWORD Password

LOGIN



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My Technology has been tested or deployed on a broad scale.

Yes

No

I have documentation describing the test results or other information on its performance.

No

Consider a **DT&E** Application.

Yes

My information covers deployments for more than one year.

No

Consider a **Designation** Application.

Yes

This information is documented and extends to long-term reliability.

No

Consider a **Designation and Certification** Application.

Yes



Once you have picked an application type, double-check the full instructions. This is just a quick check!

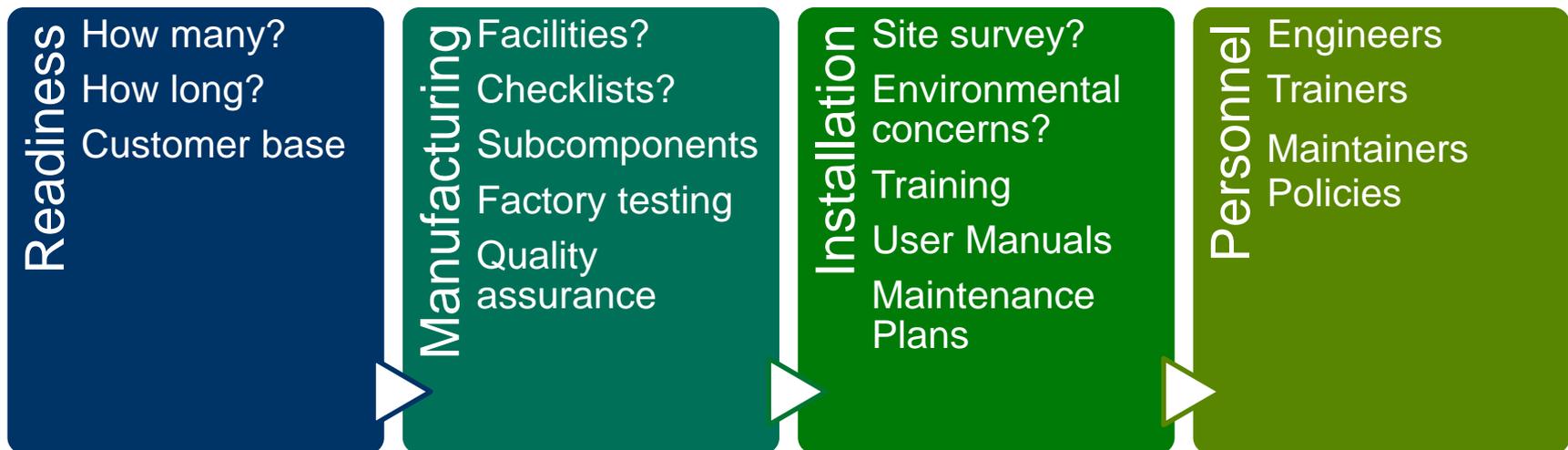


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# Question Mapping

**D11.** Readiness for Sale. How ready is your Technology to be sold and deployed? Please describe any modifications, adjustments, start-up time, hiring and vetting of personnel, building of manufacturing facilities, or other processes which might be required prior to a new deployment.



Prepare

Organize

Complete

Get help

Refine

- **Assemble** the people you need to provide information
- **Develop** a method to track your materials
- **Develop** a list of supporting materials
- **Outline** your responses in light of these materials



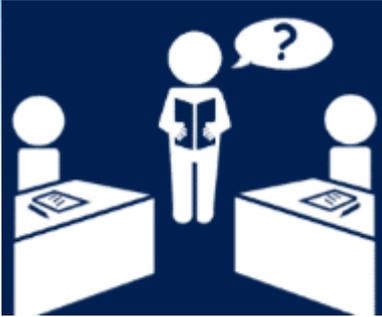
*Organizing is what you do before you do something, so that when you do it, it is not all mixed up.*

– A.A. Milne



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# Talk to your experts

- Identify your team lead(s) who can discuss the application
- Use technical and insurance experts
- Ask them to help outline answers to questions

# List available materials

- Keep a central SAFETY Act file
- Number the supporting documents as you go along
- Create a table of contents
- Make sure that **one** attachment = **one** file
- Make files searchable



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# Sample Outline

- Item D11, Readiness for Sale
  - Readiness: Inventory
    - We have 25 units in stock and the capacity to make 15 per month, based on demand. Remember to attach copy of manufacturing plan
    - Ask Jim to approximate how many man hours it takes to make a unit
  - Manufacturing
    - We have one facility located in Wisconsin, which has an ISO Quality Management rating. Attach ISO Cert and copy of quality plan
    - Our QA plan includes subcomponent inspection and an inspection of the final product. Ask Elena for blank copies and examples of completed forms
    - We don't have a specific subcomponent selection plan – ask Jim to write about how materials are selected and pull a list of example vendors used
    - Have Steven take pictures of the manufacturing facility to provide context
  - Installation
  - Personnel



# Item D4 – Non-Proprietary Summary

This is **NOT** the Technology Description! This is a brief summary of your Technology that does not include any proprietary or sensitive information.

- Do **NOT** leave this Item blank!
- Do **NOT** state “See ATTDDetails.”
- This will form the basis of the summary for our website in the event of any Designation or Certification of your Technology



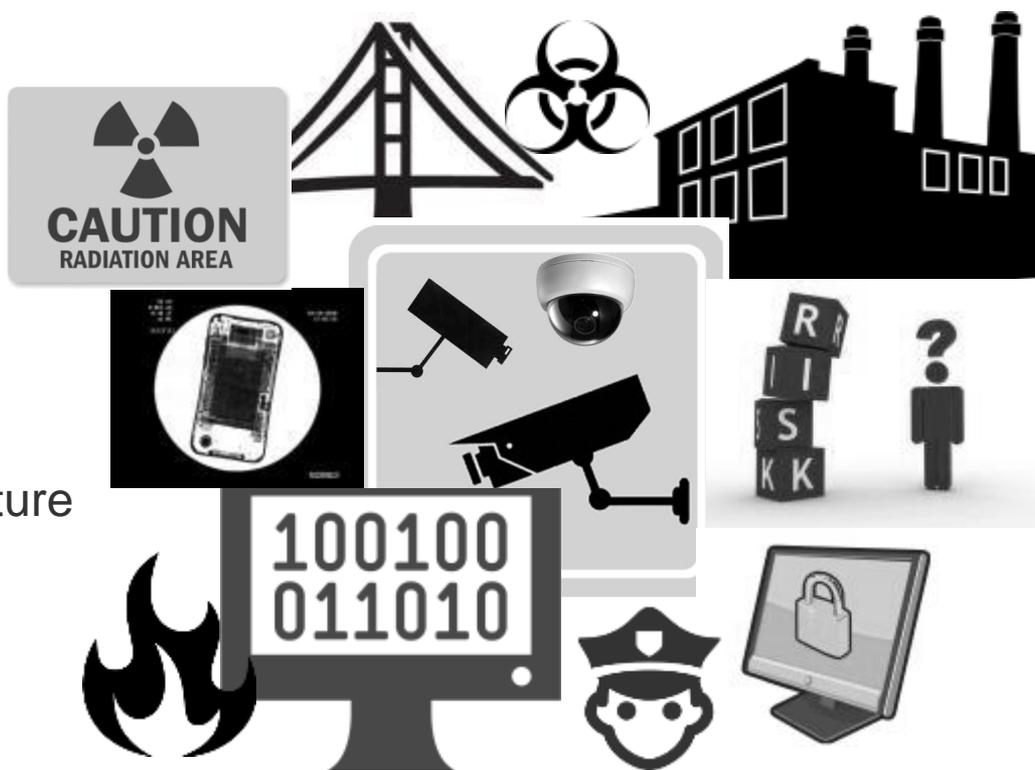
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# Item D5 – Nature of the Technology

This is **NOT** the Technology Description! This is an extension of your responses to Item D4.

- The Technology is ...
  - Security guards
  - Risk Assessments
  - Explosives detectors
  - Software
- It is designed to ...
  - Protect Critical Infrastructure
  - Help First Responders
  - Aid Baggage Inspectors
  - Detect Malicious Code



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# Item D6 – Past & Ongoing Sales

This is where you should talk about your customers, any pilot tests, fielding or deployments of the Technology.

1. Does your Technology have multiple components, services, or configurations? Tell us!
2. Who, What, When, and Where! Separate your Government Users from Commercial Users
3. We love tables! Here's a sample:

Customer Organization	Start Date	End Date	Components / Model / Services	Location or Environment	Number of Units	Point-of-Contact Information
Government 1						
Commercial 2						



# Item D8 – Earliest Date of Sale

When did you first sell or deploy your Technology?

- This is not just the date! Tell us **WHY** you chose this date!
  - Is it the date of a contract award? Can you provide the contract number?
  - Is this the date of a field test event?
  - Is it the first time you provided your services to a customer?
- The rationale for this date is an important component of the evaluation
- No units or services should have been sold before this date
- Forms the basis for establishing the earliest date of sale of the Qualified Anti-Terrorism Technology to which SAFETY Act coverage would apply



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# Item D9 – Technology Description

Your response will be used to form the basis for the Exhibit A of any eventual award. It will also frame the scope of our evaluation.



- Technology = What You Provide
  - It does not have to generate revenue
  - Keep it simple
  - Focus on the anti-terrorism aspects
- Submittal Tips:
  - Be clear and concise
  - Include all elements: technical support, installation, manuals, training, maintenance, integration services, helpdesk, updates



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# Item D10 – Deployment

**Fully** answer and support this question, because it helps us understand how you and your Technology do what you want it to do!

- Include a narrative description **AND** supporting documents
- Refer to relevant documents in your description
- If your Technology is deployed in multiple locations, what steps are involved for a single deployment? How do you know ALL deployments are consistent?
- How do you Design, Develop, Test, Organize, Operate, and Sustain?



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# Item D10 – Deployment - Products

Assess the repeatability and quality of the products you make.

## Tell us about:

- Basic principles of operation
  - Science, Engineering, Design
- Each model or configuration discussed in Item D9
  - What are the differences?
  - What are their capabilities?
  - False alarms, detection limits, vibration, failure rates, repair time
- Quality management program?
  - ISO, Six Sigma, Lean?
  - Industry standards of fabrication?

## Documentation

- Test processes and results
  - Tests on individual components
  - Outside the intended operating environment (laboratory, pilot test)
  - Narrative and reports
  - Tests for **each** model
- Manuals: User, Maintenance, Installation, Training
- Hiring, Vetting, Training Plans
  - Job descriptions and resumes of key personnel



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# Item D10 – Deployment - Services

Assess the repeatability and quality of the processes you perform.

## Tell us about:

- Core processes and procedures of the service
- Quality assurance processes to ensure tailored deployments are consistent
- How is training conducted? Using industry standard practices?
- Quality management program?
  - ISO, Six Sigma, CMMI

## Documentation:

- Formal Policies, Processes, and Plans
- Standard Operating Procedures and Methodologies
- Hiring and Vetting Plans
- Training and Certification Requirements
  - Curriculum, Handouts, Student Assessments, Manuals
  - Instructor Qualifications, Training, Resumes, Certifications



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# Item D10 – Deployment - Cyber

Assess the repeatability and quality of the processes you perform.

## Tell us about:

- Software Development Process
  - Design of the algorithms?
  - Update and Maintenance process
  - Bug tracking and correction
- Quality assurance processes
  - ISO, Six Sigma, CMMI
- Support services?
  - Hosting or Data Center
  - Technical support and help desk?
  - Installation, Maintenance, Design

## Documentation

- Software Development Lifecycle Process
  - Flow Chart or Diagram
  - Periodic Update, Test Processes
  - System or Network Architecture
  - Host Data Center Capabilities
- Software Manuals
- Support Services Procedures
  - Personnel Qualifications
- Hardware Components List



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Prepare a profile of the Technology drawn from the functions (identify, protect, detect, respond, recover) and the sub-functions in the NIST Cybersecurity Framework. The Framework can also provide an effective means to develop a Technology Description that reflects functions and is tied to standards or best practices.

# Item D12 – Magnitude of Risk

This is a description of the type of terrorist act your Technology is designed to counter, respond to, prevent, report, or address.

- Describe the likely scenario (or scenarios) that could occur without the deployment of your Technology
  - Help us understand the potential loss of life, property, or financial capital.
- Include a ***reasonable scenario***, as well as the intended use of the Technology in that scenario
- Focus on the anti-terrorism aspects



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# Item D13 – Plans for Deployment

Will SAFETY Act protections affect your plans to sell the Technology?

- Any change in deployment if SA protections were not granted?
- Corporate policy, board resolution, or business plan prohibiting the deployment without SA protections
- Customer requirement for SA protections
- Limited market sectors without SA
- Can't afford insurance without SA



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# Item D14 – Effectiveness

This Item refers to your Technology's performance against acts of terrorism and under realistic operating conditions.

## ▪ DO:

- Explain in simple language how YOU know the Technology is functioning and operational
- Provide documentation that will support your discussion and explain what the documents show
- Submit examples of its fielded performance

## ▪ DO NOT:

- Rely only on points of contact
- State "See Item D10."
- Refer to other responses without addressing the performance and effectiveness of your Technology
- Use marketing terms ("best-in-class") or jargon



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# Item D14 – Effectiveness - Products

How you know your product functions and performs correctly.

## Tell us about:

- Operational or Field Tests
  - What testing have you done?
  - How do you know it will function in the intended environment?
- Deployment History
  - Field data?
  - How has it performed in its anti-terrorism capacity?
  - Unit failures? Repair Time?
- Customer Feedback

## Documentation

- Test processes and results
  - Tests on the production system
  - In the intended operating environment
  - Narrative and reports
  - Tests for *each* model, if available
- Field performance reports
  - After-action reports and reviews
- Points-of-Contact Details
- Customer Testimonials



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# Item D14 – Effectiveness - Services

How you know your processes perform as expected.

## Tell us about:

- How you know each of the processes from Item D9 is:
  - Appropriate for each deployment?
  - Functioning as designed & expected?
  - Performing to your standard?
- How you ensure personnel are:
  - Qualified and trained appropriately
  - Experienced with current threats
  - Performing to your standards
  - Behaving consistently across all deployments

## Documentation:

- After-Action Reports; Field Exercise Plans and Summaries
- “Red” Team Activities
- Post Orders from several deployments (3 or more)
- Training Records (PII Redacted)
- Audits and inspection reports



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# Item D14 – Effectiveness - Cyber

How you know your applications perform as intended.

## Tell us about:

- Operational evaluations
  - Independent or third-party testing
- Specific deployments
- How you know **each** of the processes from **Item D9** is:
  - Appropriate for each deployment?
  - Functioning as expected?
  - Performing to your standard?
- Tell us about your cyber security measures

## Documentation

- Operational Test Reports
  - Site Acceptance Test Reports
  - IV&V, Penetration, vulnerability, or red-team tests
- Case Studies or After-Action Reviews
- Customer Testimonials
  - On customer letterhead
  - Contact details
- Hardware Components List



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# Items D16/D17 – Insurance/Financials

Everyone who works on a SAFETY Act application signs a COI/NDA. If you have concerns about supplying financial data, contact the SAFETY Act Help Desk.

- You will need to carry insurance that responds to claims arising from Acts of Terrorism
- Getting Quotes
  - If you have multiple insurance policies that would apply, make sure to answer all the questions for all the policies
- Technology Revenue Projections
- Third-Party Risk Exposure
- Supplying Financial Information
  - Financials should be at the same level as the insured



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- **Answer ALL** the questions (do **NOT** refer back to prior answers in total, particularly between Designation and Certification)
- **Reference** any supporting documents in your responses and explain to us why those documents are important
- **Quality** is often better than quantity



*If I had an hour to solve a problem I'd spend 55 minutes thinking about the problem and 5 minutes thinking about solutions*

-- Albert Einstein



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# Example Response

- Incomplete: “See attachments 7-10, test data for effectiveness.”
- Complete: “In 2011, we tested our product and found a 42% detection rate. Upon review of the data, we found that a number of changes to our software algorithm were needed. We engaged in additional development to fix the areas listed in Attachment 11, tested the software fixes internally (see Attachment 12 which contains the regression test results from the internal test described in Attachment 13), and re-conducted the operational test in 2012. In this test, we determined the Technology had a detection rate of 91%.”

Your response can be complete and informative without being wordy. Give the facts, provide context, and reference useful and clearly identified attachments.



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- Pre-applications
- Teleconferences
- Help Desk
- Pre-submission reviews (on a limited basis)



*I get by with a little help from my friends.*  
– The Beatles



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# Schedule a Consultation

- OSAI offers free consultations to anyone seeking SAFETY Act coverage
- We strongly encourage anyone, even prior applicants, to request a consultation before submission
- The easiest way to request a consultation is with a pre-application
- We are happy to walk you through the process before you apply!



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# Other Resources

- Prior Webinars
  - Service application specific
  - Venue specific
  - Developmental Testing and Evaluation Designation applications
  - Renewals
- Frequently Asked Questions on [www.safetyact.gov](http://www.safetyact.gov)
- Help Desk – set up a teleconference!



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- **Check**, check, and double-check!
- **Proofread!** Have you checked your spelling?
- **Verify** that you have answered all the questions. Answer each question with a narrative that references the attachments
- **Make sure** that you included all the attachments you reference. Did you make a table of contents?

*Your eloquence should be the servant of the ideas in your head. Your rule might be this: If a sentence, no matter how excellent, does not illuminate your subject in some new and useful way, scratch it out.*

– Kurt Vonnegut



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# HIT SUBMIT!

*Dictionary is the only place that success comes before work. Hard work is the price we must pay for success. I think you can accomplish anything if you're willing to pay the price.*

– Vince Lombardi



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# Contact Information

- Online: [www.safetyact.gov](http://www.safetyact.gov)
  - FAQs
  - Help Topics
  - Help Desk: Online form for questions requiring an individual response
- Email: [SAFETYActHelpDesk@dhs.gov](mailto:SAFETYActHelpDesk@dhs.gov)
- Toll-Free: 1-866-788-9318



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