



# Renewal Boot Camp

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## Effectively Submitting SAFETY Act Renewal Applications



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**February 2016**

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

Department of Homeland Security (DHS)

# SAFETY Act Update

- Total approvals since SAFETY Act's inception: 809
- 26 applications have been approved so far this fiscal year contributing to over \$1B in projected technology revenue and over 5,000 employees directly related to technology deployments.



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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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# Congratulations! Now What?

- **WHEN** should I start to think about my Renewal Application?
- **HOW** can I prepare for a Renewal Application?
- **WHERE** do I start?
- **WHAT** information should I collect?



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# A Note on Certifying Insurance

- Don't forget to certify your insurance by logging onto [www.safetyact.gov](http://www.safetyact.gov)! To do so submit a signed statement on your company's letterhead confirming that you meet the insurance requirement specified in your Designation letter. We suggest this language:

*Pursuant to Section 25.5(h) of the Regulations, COMPANY NAME, hereby certifies that it will maintain the insurance required in the Certificate of SAFETY Act Designation, dated Date Designation was issued, concerning the above referenced Technology.*



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# Today's Topics



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**Preparation  
Timelines**

**Collecting  
your  
Information**

**Renewal  
Questions**

**SUBMIT!**



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# When Should I Start?

## First 6 Months

- Review SAFETY Act letter
- Certify your insurance
- Select a SAFETY act point-of-contact within your office
- **Start a SAFETY Act file!**

## 6 Months to 3 Years

- Maintain your SAFETY Act file
- Collect field, **reliability**, and **performance** data for your technology
- Record any **incident reports, OSHA reports, or lawsuits** related to the technology
- Maintain your **liability insurance!**

## Last 2 Years

- Schedule a consultation with OSAI
- Gather your contributors and team
- Collect, organize, and review the information and supporting documents.
- **Submit the renewal 6 months before the designation expires**



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# Keep a SAFETY Act File!



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# Renewal Areas of Focus

- Technical Specifications
- Performance
- Safety
- Insurance
- Financials



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# Organize and Plan

- **Review** the application questions in accord with your Technology
- **Assemble** the people you need to provide information
- **Develop** a method to track your materials
- **Outline** your responses in light of these materials

## APPLICATION FOR RENEWAL OF SAFETY ACT PROTECTIONS OF A QUALIFIED ANTI-TERRORISM TECHNOLOGY

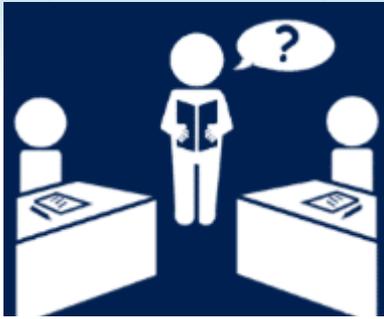
The purpose of completing an Application for Renewal of SAFETY Act Protections is for you, the Seller of the approved Qualified Anti-Terrorism Technology, to ensure that your QATT performed as previously described throughout the lifespan of your previous Designation or Certification and that it will continue to perform in the future. To ensure your QATT does not encounter a lapse in SAFETY Act coverage, it is recommended that you file a Renewal application at least 6 months prior to expiration of your current award.



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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

## Identify 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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# Documents for your SAFETY Act File

- Fielded Performance Data:
  - Work with your customers to collect field performance information
  - Failure rates, failure modes, corrective actions
  - Customer satisfaction surveys
  - After-action reviews from exercises or incidents
  - Performance audits (internal or third-party)
- Personnel Records
- Safety Information:
  - Reports for OSHA, compensation claims
  - Lawsuits pertaining to the Technology
  - Incident Reports for safety
- Technology Revenue and Insurance



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# Question Mapping

**RE6.1.** Provide information related to the safety of your QATT, for both its users and those who may come in contact with it. This could include post deployment safety and hazard reports, descriptions of safety incidents during the term of your Designation, and similar data. Confirm that your Technology has continued to be safe for use since receiving SAFETY Act Protections.

## Safety

- Hazard analysis
- What are the risks?
- How are they mitigated?

## Policies

- Training
- Use of Force
- Quality assurance
- Lessons Learned

## Procedures

- Post Orders
- Incident Report
- Industry Standards
- Emergency Plans
- OSHA Reports

## Personnel

- Engineers
- Trainers
- Supervisors
- Quality Control



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# Sample Outline

- **Item RE6.1 – Safety of the QATT**

- **Safety**

- Our unarmed security officers are posted at one community college. Attach our hazards assessment and campus map!

- **Policies and Procedures**

- We have a written policy addressing the circumstances when officers can use force. We also make sure that officers are trained to use force appropriately.
    - Our quality policy includes inspections to assess safety of the posts and the officers' training and performance.
    - Ask Jeannie to attach the training, quality, and Use of Force policies to our file.
    - Talk to Rob about post orders and incident reports from our security office.
    - Let's make sure the Emergency Plan is up-to-date with active shooter and campus evacuation procedures.

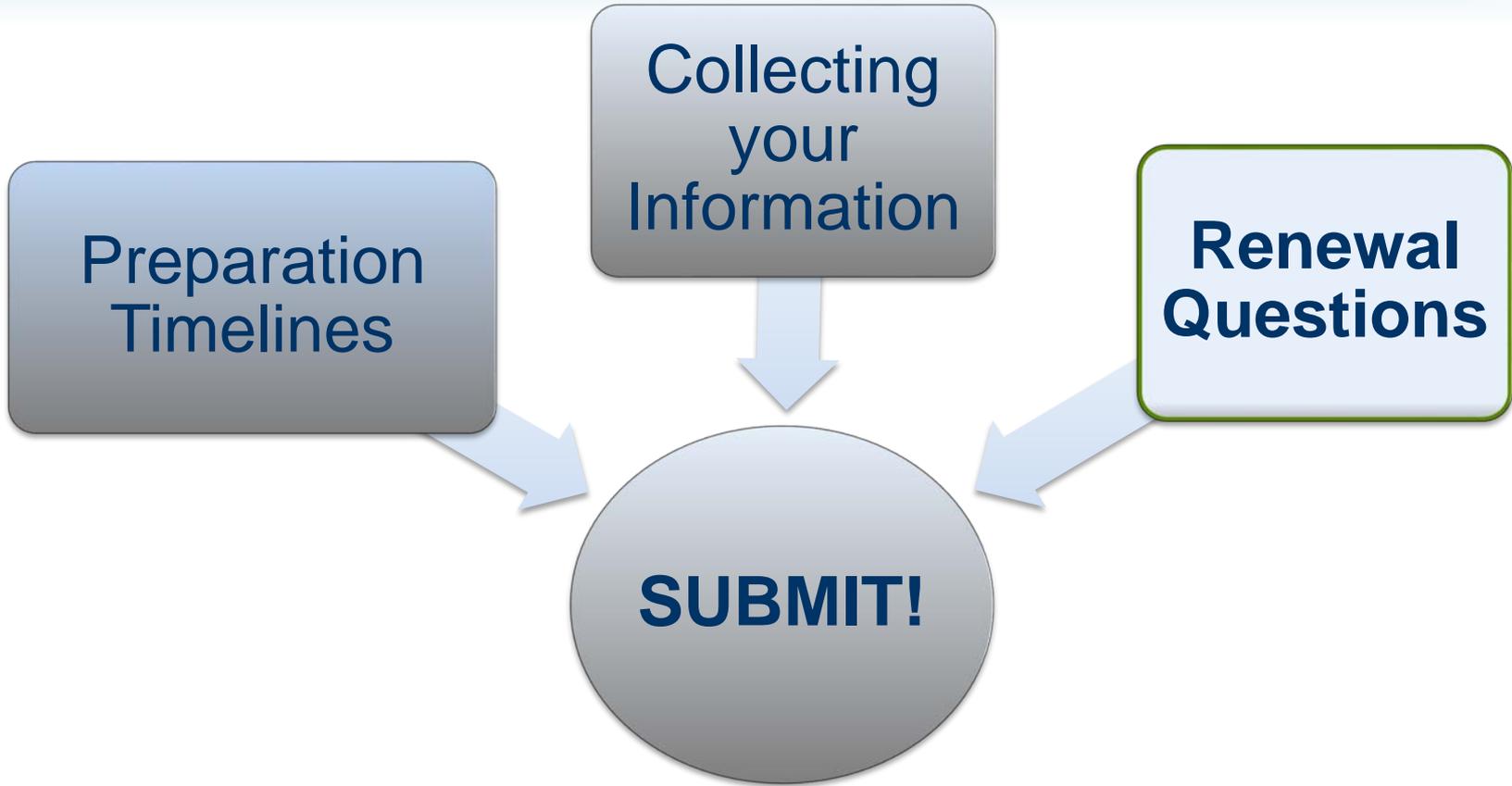
- **Personnel**

- Gather samples of employee background investigations and training records.



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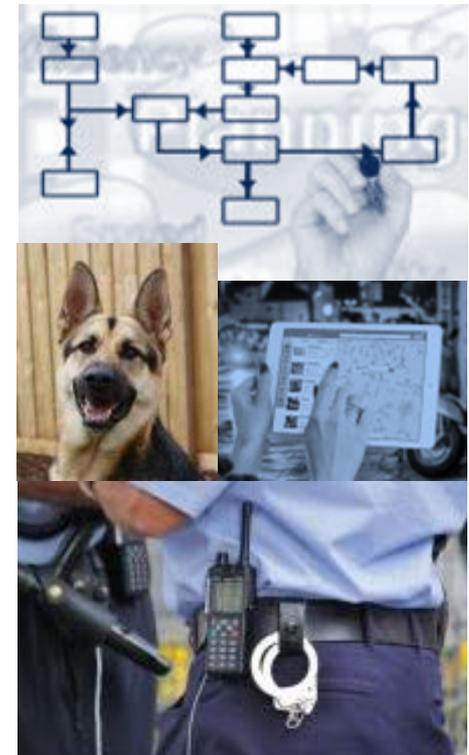
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# Item RE4: Technical Specifications

**First! Review the Exhibit A from your Certificate of Designation.**

- The Technology may be:
  - **Services:** Security Guards or Risk Assessments
  - **Products:** Metal Detectors or Emergency Lighting
  - **Software:** Identity Verification or Secure Networks
- Things to consider:
  - Have your **policies** been updated or changed?
  - Have you developed **new models** or versions?
  - Have you changed your **training** programs?
  - Are you using new **methodologies** or **algorithms**?
  - Are there new **qualifications** for your personnel?
  - Have you changed your **manufacturing process**?



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# Item RE4.1 – Changes

Many applicants respond to Item RE4.1 this way:

*“The Technology remains materially the same as when we received SAFETY Act Designation.”*

or

*“The scope of the Technology has not changed.”*



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# Item RE4.1 – Changes

This is where you talk about improvements and updates to the Technology **AND** about discontinued components



- Make sure to note all updates, deletions, or additional elements to the Technology.
- Additions and deletions to critical elements of the Technology should be explained. Tell us how the changes impact the Technology.
- Remember, new components should be supported with documents and discussions. **Just like in your application for Designation!**
- Your response will help inform any changes to the Exhibit A in any Renewed Designation.



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# Example Response – Item RE4.1

- **Poor Response:** “No changes.”
- **Better Response:** “Since Designation, we deployed the X-6 X-ray Detector, which is based on the underlying sensor technology of our X-5 X-ray Detector. Attachment 1 is the technical data sheet for the X-6. Attachments 2 (false alarms) and 3 (reliability) are test reports for the X-6. We have also modified our software development process for the system software provided with the X-ray detectors. The process was originally an incremental development, but we have migrated to an agile software development process. The software development life cycle process document is Attachment 4 of this application.”

Give the facts, provide context, and reference useful and clearly identified attachments.



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# Item RE4.1 – Substantial Changes

- If a Technology has grown or been changed to the point that it's no longer the same as what was previously evaluated, a new application may need to be submitted.
- An early teleconference with us can help determine if the updated Technology needs a new full application!



## Submittal Tips:

- 1) Be concise and clear!
- 2) Include all elements: technical support, installation, manuals, training, maintenance, integration, helpdesk, update process



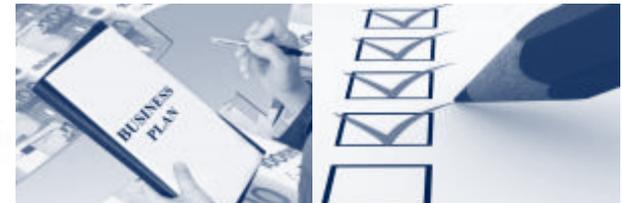
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# Item RE4.2 – Conforms to Exhibit A

How do ***you*** know that your deployed Technology continues to perform according to the Exhibit A?

- We want to understand if, when, and how you review your policies, plans, and procedures
  - Updated policy and procedural documents can demonstrate that you monitor and regularly improve your service offerings
  - For products, consider your factory or site acceptance test procedures
  - Revised training manuals, quality assurance plans, and manufacturing plans.
- Have you updated your policies as industry standard practices or changing threats have changed since your Designation?



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# Item RE5: Performance

The information in your SAFETY Act file can demonstrate the Technology's performance.

## Services

- Audits
- Quality Assurance
- Best Practices or standards

## Products

- Failure Rate
- Field Studies
- Manufacturing

## Software

- Functional Tests
- Updates
- Network Availability

We want to understand your Technology's deployments over the course of the Designation and its performance in the field.



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# Item RE5.1 – Deployments

This is where you should talk about your customers, any new deployments of the Technology, or deployments that ended.

- Who, What, When, Why, and Where!
- If your Technology has multiple components, services, or configurations, make sure to tell us which customers have purchased these components!
- We know that sometimes customers' needs change. If any significant deployments have ended, please explain what happened.
- 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						



# Items RE5.2/RE5.3 – Operational Performance

Tell us about your Technology's successes!  
How have you and the Technology performed  
in your fielded deployments?



- Call your customers! We love to hear from people who use your Technology!
- **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 operational performance
- **DO NOT:**
  - Rely only on points-of-contact.
  - Use marketing terms (“best-in-class”) or jargon



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# Item RE5 – Performance (Products)

How you know how your product performed during the Designation.

## Tell us about:

- Its operational performance since Designation
- Inspections of deployed units
- What kind of field data have you collected?
- Customer Feedback
  - Ask your customers for any data or after-action reports they have on the Technology

## Documentation:

- New test results (since Designation)
  - Narrative and reports
  - Tests for *each* model, if available
- Field performance reports
  - After-action reports and reviews
- Points-of-Contact details
- Customer or internal reports



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# Item RE5 – Performance (Services)

How you know your processes performed during the Designation.

## Tell us about:

- How you know **each** of the elements in **Exhibit A** is still:
  - Functioning as expected
  - Performing to your specification
  - Appropriate for the deployments
- How you continue to ensure personnel are:
  - Qualified and trained appropriately
  - Experienced with current threats
  - Performing consistently across all deployments

## Documentation:

- Emergency Exercises
- After-Action Reports
- “Red” Team Activities
- Post Orders from deployments in the Designation period
- Training Records (PII Redacted)
- Audits and inspection reports



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# Item RE5 – Performance (Information Technology)

How you know your software performed during the Designation.

## Tell us about:

- Independent Validation and Verification or third-party testing
- How you know **each** of the processes from **Exhibit A** is:
  - Functioning as expected
  - Performing to your specification
- Your cybersecurity measures
  - Network hardening? Intrusion detection?
  - Certified ethical hacking tests

## Documentation:

- Acceptance Test Reports
- Vulnerability assessments
- IV&V, penetration, or red-team tests for current version
- After-Action Reviews
- Customer Testimonials
- Updated Hardware Components or Software Applications List



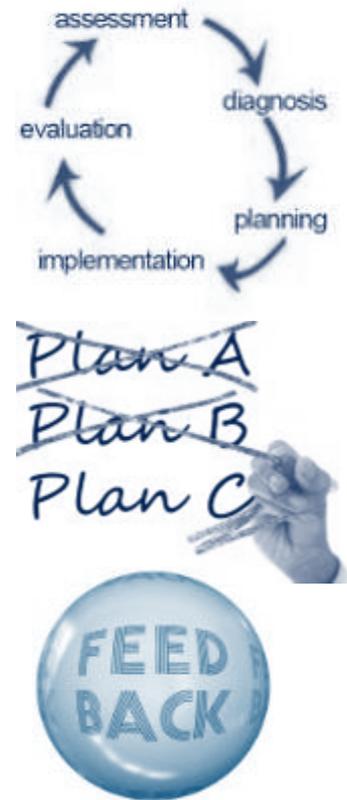
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# Items RE5.4 to RE5.6 – Challenges

Have there been any difficulties or problems in the deployments of the Technology since Designation?

- **DON'T** be afraid to tell us about problems!
  - A discussion of your challenges can provide valuable information about your quality control plan.
- Problems can demonstrate the performance *and* effectiveness of your Technology.
  - We want to understand **how** you addressed the issues.
  - Have you changed your policies? Training? Operating manuals? Design of the Technology?
- What is the reliability or failure rate?
- Do you have reports to describe any issues (safety, incident, bugs, or deficiencies)?



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# Item RE6: Safety

**USE your SAFETY Act file! It should have information that describes the safety of your Technology!**



- If you only applied for Designation in your first submission, you may not have seen questions about safety before.
- Safety is a **key component** of our evaluation of Proposed Renewals.
- We want information related to the safety of your Technology, for both its uses and those who many come in contact with it.
- **Tip:** Provide us with updated polices and procedures for mitigating safety hazards.



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# Item RE6.1 – Safety Policy

Do your policies, plans, procedures, manuals, and training all consider the **safety** of the Technology?

- Company emergency plans, quality management documents, and post orders can demonstrate safety.
- Provide updated manuals that include information for safe use
- Include updated training materials
- Certificates of Conformance or safety assessment by independent agencies



Many Applicants state “The Technology is inherently safe.” Software can be inherently safe, but most Technologies have some safety risks.



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# Item RE6.2 – Safety Reports

It is important that you provide documents and discussion of serious injuries or fatalities involving the Technology.



- Litigation regarding the Technology
- Audits or Inspections
- Incident Reports
- OSHA Reports
- Police Reports
- Workers' Compensation
- Safety Logs



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# Items RE7/RE8 – 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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# Creating a Renewal Submission – Step 1

**Creating an Application**  
OMB No. 1640-0001; Expires 03/31/2013  
Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

**First Time Applicants:**  
Applicants are strongly encouraged to consider first submitting a Pre-Application form to request a Pre-Application Consultation. A Pre-Application Consultation is a voluntary means through which the Office of SAFETY Act Implementation (OSAI) provides helpful guidance to potential applicants without requiring the completion and submission of a full SAFETY Act Application. The Pre-Application Consultation is intended to facilitate a process by which a potential applicant may provide OSAI with initial information regarding their Technology, so that OSAI may, in turn, provide potential applicants with guidance regarding the submission of an Application for SAFETY Act Designation. The Pre-Application Consultation is also intended to facilitate discussions regarding the SAFETY Act Application process.

**Applicant Tools**

- [Application](#)
- [Procurement Application](#)
- [Block Designation](#)
- [Block Certification](#)
- [Renewal](#)

**View**

- [My Open Applications](#)
- [My Closed Applications](#)

**Account Center**

- [Edit My Account](#)
- [Change My Password](#)

Step 1: Login in to the Website and select “Renewal”



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# Creating a Renewal Submission – Step 2

## Available Renewals

Below is a listing of your applications that qualify for renewal. Please select your desired application to begin the renewal process.

<u>Name</u>	<u>App ID</u>	<u>Priority Level</u>	<u>Due Date</u>	<u>DHS No.</u>	<u>Decision</u>	<u>Expiration</u>
<a href="#">My Technology</a>	Q-TRACKING-001	Normal	12/11/2012	F- X -A	Designated	12/31/2013

## Applicant Tools

### Create

- [Application](#)
- [Procurement Application](#)
- [Block Designation](#)
- [Block Certification](#)
- [Renewal](#)

### View

- [My Open Applications](#)
- [My Closed Applications](#)

Step 2: Select the Technology eligible for Renewal



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# Creating a Renewal Submission – Step 3

Step 3: Create your Renewal Application.

## QATT Application

Q-TRACKING-001

Priority Level: Normal  
Received Via: Online Form  
Additional Attachments: 0  
**Decision: Designated**  
**Status: Awarded**

Submission Date: 09/13/2012  
Initial Award Date: 03/06/2013  
Expiration Date: 12/31/2013

Next

## SELLER INFORMATION

1. Registration Information

### ACTIONS

#### Confirmed Actions

- [Close](#)
- [Clone Application](#)
- [Create Renewal](#)
- [Print](#)

#### Actions

- [Create Revision](#)
- [Create Notice of Mod](#)
- [Create Notice of License](#)

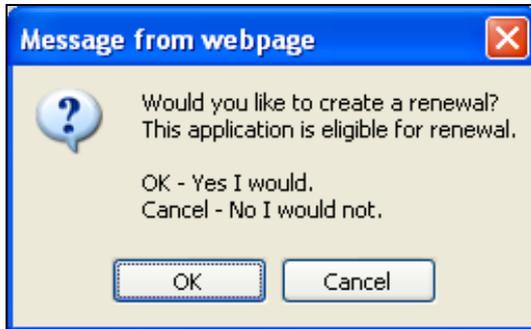


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# Creating a Renewal Submission – Step 4

Step 4: Say “OK”!



Renewal to Designation

Q-TRACKING-001-REN1

Priority Level: Normal

Submission Date: 05/31/2013

Received Via: Online Form

Additional Attachments: 0

Status: Draft

Previous

Next

## RENEWAL DETAILS

### RE1. Seller Name

TestCo

#### RE1.1. \*Public Website Listing:

If your Technology is awarded SAFETY Act coverage, you have the opportunity to be listed on the SAFETY Act Web site as a designated Seller of a Qualified Anti-Terrorism Technology (QATT). Note: By statute, all Certified Technologies will be displayed on the Approved Products List for Homeland Security on the Web site. I wish to have my QATT listed on the public Web site under the appropriate classification. I do not wish to have my QATT listed on the public Web site under the appropriate classification.

- I wish to have this technology listed on the public website under the appropriate classification.
- I do not wish to have this technology listed on the public website under the appropriate classification.

Success!



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# REMEMBER!

- **Answer ALL** the questions
- **Review** your Exhibit A to make sure all your Technology components are supported in the Proposed Renewal
- **Reference** any supporting documents in your responses and explain to us why those documents are important
- **Coordinate** with your team to ensure all information is correct and the appropriate documentation is attached.
- **Quality** is often better than quantity



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# Schedule a Consultation

- OSAI offers free consultations to anyone seeking SAFETY Act coverage.
- We strongly encourage anyone submitting a Proposed Renewal to request a consultation before submission.
- We are happy to walk you through the process before you apply!



## **OTHER RESOURCES**

Prior Webinars

Frequently Asked Questions on [www.safetyact.gov](http://www.safetyact.gov)

Help Desk – email your question!



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# Before You Submit...



- **Check, check, and double-check!**
- **Proofread!** Have you checked your spelling? Make sure you turn off track changes!
- **Verify** that you have answered all the questions. Answer each question with a narrative that references the attachments.
- **Make sure** that you have included all the attachments you reference, and that they are able to be opened.
- **Add** a numbered or lettered Table of Contents for the attachments.



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# HIT SUBMIT!



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# Keep in Touch and Get Help

- Online: [www.safetyact.gov](http://www.safetyact.gov)
  - FAQs
  - Help Topics
  - Step-by-Step User Guide
  - SAFETY Act 101, SAFETY Act and Business, and SAFETY Act Bootcamp Briefings
  - SAFETY Act Fact Sheet
  - Help Desk: Online form is available for questions requiring an individual response under Contact Us > Help Ticket links
- Email: [SAFETYActHelpDesk@dhs.gov](mailto:SAFETYActHelpDesk@dhs.gov)
- Toll-Free: 1-866-788-9318



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