



Strategic Diagnostics Inc.

Safety Act Highlights

As part of the Homeland Security Act of 2002, Congress passed the Support Anti-Terrorism by Fostering Effective Technologies Act (the SAFETY Act) to encourage the development of anti-terrorism technologies by creating a system of risk and litigation management. The SAFETY Act limits the financial liability of ATT suppliers.

Sections 862 and 863 of the SAFETY Act authorize the Secretary of DHS to designate qualified ATT that are eligible for the protections of the legislation.

The criteria to receive designation are:

- Prior U.S. Government use of the technology or demonstrated substantial utility and effectiveness
- Availability of the technology for immediate deployment in public and private settings;
- Existence of an extraordinarily large or extraordinarily unquantifiable potential third party liability risk to the supplier;
- Existence of a substantial likelihood that the technology will not be deployed unless SAFETY Act protections are granted;
- An assessment of the magnitude of risk to the public if the technology is not employed;
- An evaluation of all scientific studies that can be feasibly conducted to assess the capability of the technology to substantially reduce risks of harm;
- Effectiveness of the technology in facilitating the defense against act of terrorism, including technologies that prevent, defeat, or respond to such acts; and
- Any other factor considered to be relevant to the determination or to the homeland security of the United States

Getting approval of the product as an 'Approved Product for Homeland Security' makes it eligible for the rebuttable presumption of the applicability of the government contractor defense. This added level of protection is available to those who sell certified products and services to state and local governments and the private sector.

Under SEC. 864 Risk Management (a)(3)(A) and (B) users and operators of qualified anti-terrorism technologies are protected to the extent of their potential liability.