

50.205-1 SAFETY Act Considerations.

(a) *SAFETY Act applicability.* Requiring activities *should* review requirements to identify potential technologies that prevent, detect, identify, or deter acts of terrorism or limit the harm such acts might cause, and *may* be appropriate for SAFETY Act protections. In questionable cases, the agency *shall* consult with DHS. For *acquisitions* involving such technologies, the requiring activity *should* ascertain through discussions with DHS whether a *block designation* or *block certification* exists for the technology being acquired.

(1) If one does exist, the requiring activity *should* request that the *contracting officer* notify *offerors*.

(2) If one does not exist, see [50.205-2](#), *Pre-qualification designation notice*.

(b) *Early consideration of the SAFETY Act.* *Acquisition* officials *shall* consider SAFETY Act issues as early in the *acquisition* cycle as possible (see [7.105\(b\)\(20\)\(v\)](#)). Normally, this would be at the point where the required capabilities or performance characteristics are addressed. This is important because the processing times for issuing determinations on all types of SAFETY Act applications vary depending on many factors, including the influx of applications to DHS and the technical complexity of individual applications.

(c) *Industry outreach.* When applicable, *acquisition* officials *should* include SAFETY Act considerations in all industry outreach efforts including, but not limited to, requests for information, draft requests for proposal, and industry conferences.

(d) *Reciprocal waiver of claims.* For purposes of 6 CFR [25.5\(e\)](#), the Government is not a customer from which a contractor *must* request a reciprocal waiver of *claims*.

Parent topic: [50.205 Procedures](#).