



## Science and Technology

July 26, 2024

### **SAFETY ACT BLOCK DESIGNATION NOTICE**

The Department of Homeland Security has completed its review of the Block Designation for Tier III Customs Trade Partnership Against Terrorism (CTPAT) Services, pursuant to the Support Anti-terrorism by Fostering Effective Technologies Act of 2002, 6 U.S.C. §§ 441–444, (the SAFETY Act), and the Regulations Implementing the Support Anti-terrorism by Fostering Effective Technologies Act of 2002, 6 C.F.R. Part 25, 71 Fed. Reg. 33147, 33159 (June 8, 2006) (the Regulations). Pursuant to Section 25.3 of the Regulations, the Secretary of Homeland Security (the Secretary) has delegated responsibilities, powers, and functions under the SAFETY Act, except the authority to determine that an act is an Act of Terrorism for purposes of Section 444(2) of the SAFETY Act, to the Under Secretary for Science and Technology of the Department of Homeland Security or the Under Secretary’s designees.

In accordance with Sections 25.4(b) and 25.6(h) of the Regulations, I have determined that Tier III CTPAT Services Program affirmatively satisfies the criteria for a SAFETY Act Block Designation. Entities providing such services are eligible to apply for protections pursuant to this Block Designation. The Department will evaluate applications in accordance with the Regulations, and expedite review, subject to the terms and conditions below.

#### **TERMS AND CONDITIONS**

- **Block Designation for the U.S. Customs and Border Protection (CBP) Tier III Customs Trade Partnership Against Terrorism (CTPAT) Services Program.** Technologies participating in the CBP CTPAT Program at a Tier III level have relevance to the Department’s anti-terrorism mission, and Tier III partners may apply for SAFETY Act Designation pursuant to this Block Designation. This Block Designation is based on the requirements specified in the *CTPAT Minimum Security Criteria – U.S. Importers* for Tier III partners.
- **Timeline for Expedited Review.** Pursuant to a complete application, the Office of SAFETY Act Implementation (OSAI) expects to process complete applications

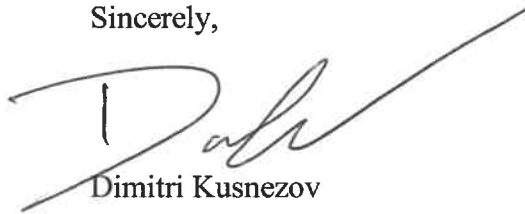
WARNING: This document contains SAFETY Act Confidential Information (SACI) and/or Third-Party Proprietary Information. It contains pre-decisional and other sensitive information not releasable under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy and management directives relating to safeguarding sensitive but unclassified information and is not to be released to the public or other personnel who do not have a valid “need-to-know” without prior approval of an authorized DHS official.

submitted pursuant to this Block Designation Notice within 90 days of receipt. This will allow for a complete review of an Applicant's insurance and financial information.

- Application Requirements.
  - OSAI will coordinate with the CBP to verify the names of applicants under the Block Designation as Tier III partners in good standing.
  - Applicants under this Block Designation Notice will be required to submit a Block Designation Application, DHS Form 10005 via the SAFETY Act Website ([www.safetyact.gov](http://www.safetyact.gov)).
  - For the purposes of Section 25.6(h), if the Department approves an application submitted pursuant to a Block Designation, that applicant is considered a Seller of a Qualified Anti-terrorism Technology. Pursuant to Section 443(a) of the SAFETY Act and Sections 25.5(a) and (g) of the Regulations, Sellers of Qualified Anti-Terrorism Technologies shall obtain or maintain the following liability insurance for otherwise compensable third-party claims arising out of, relating to, or resulting from an Act of Terrorism when the Qualified Anti-Terrorism Technology has been deployed in defense against, response to, or recovery from such an act. To establish such a limit, the Applicant must submit answers to Item BD.11 and Item BD.12 (Insurance and Financial information) in the Block Designation Application, DHS Form 10005.
- Term of this Block Designation Notice. This Block Designation Notice will expire on November 30, 2029. The expiration of this Notice is independent from, and will have no effect on, the term of any Designation received by Applicants under the Block.
- Other Conditions. This Block Designation may be reviewed and modified at any time by the Department of Homeland Security.

Any questions regarding this Notice should be directed to the SAFETY Act Help Desk by email at [SAFETYActHelpDesk@hq.dhs.gov](mailto:SAFETYActHelpDesk@hq.dhs.gov) or by phone at 1-866-788-9318. Please reference "Tier III Customs Trade Partnership Against Terrorism (CTPAT) Services" in all correspondence.

Sincerely,



Dimitri Kusnezov  
Under Secretary