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State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER
33 HAZEN DR. CONCORD, NH 03305
603/271-2791

JOHN J. BARTHELMES
COMMISSIONER

August 18, 2015

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

Requested Action

Pursuant to RSA 21-P:43, the Department of Safety, Division of Homeland Security and Emergency Management (HSEM), requests authorization to amend the Memorandum of Agreement (MOA) (VC#177878-B001) between the Department of Safety, Division of State Police (NHSP) and the Department of Safety (DOS), Division of Homeland Security & Emergency Management (HSEM). This no cost extension amendment will change the completion date from September 30, 2015 to September 30, 2016 and change the Scope of Work to extend the cyber-security training to all State employees. The grant was initially approved by the Governor and Executive Council on January 14, 2015, Item #33, for the purpose of enhancing the Department's cyber terrorism/cyber security and incident response capabilities. Effective upon Governor and Council approval. Funding source: 100% Federal Funds.

Explanation

This request for an extension is necessary because it was determined that it would be beneficial to extend the online cyber-security training to all State of New Hampshire employees rather than limiting it to only the Department of Safety (DOS). This initiative would not only enhance DOS's cyber terrorism/cyber security awareness and capabilities, but all State departments as well. The project's equipment costs were less than expected; therefore, sufficient funding remains to cover this additional training for departments outside of DOS. In order to properly execute this important project, it was agreed that an extension to September 30, 2016, approved through Governor and Executive Council, would be required. HSEM has reviewed this request with the Federal Emergency Management Agency (FEMA) and it was determined that the date extension will not affect Federal funding.

In the event that Federal Funds are no longer available, General Funds and/or Highway Funds will not be requested to support this program.

Respectfully submitted,


John J. Barthelmes
Commissioner of Safety

Emergency Management Performance Grant (EMPG) Program – CFDA #97.042
Amendment to Memorandum of Agreement (MOA) for an
Extension of Performance Period
and
Change in Scope of Work

It is hereby agreed that the Memorandum of Agreement (MOA) approved by the Governor and Executive Council on January 14, 2015, Item #33, between the Department of Safety, Division of State Police (NHSP) and the Department of Safety, Division of Homeland Security & Emergency Management (HSEM) for the purpose of enhancing the Department's cyber terrorism/cyber security and incident response capabilities is **amended** as follows:

1. MOA Section IV, SCOPE OF WORK:

- a. Delete the third sentence in the first paragraph in its entirety and replace with:

This investment will also fund basic cyber security awareness training for all *State of New Hampshire* employees.

- b. Delete the third sentence in the second paragraph in its entirety and replace with:

The match requirement will be met through salary and benefit cost analysis of *non-Federally funded State of New Hampshire employees* attending the training and utilizing the acquired hardware, software and other equipment in a cyber-security capacity.

- c. Delete the first sentence in the third paragraph in its entirety and replace with:

NHSP agrees to maintain financial records, supporting documents, and all other pertinent records for a period of *three (3) years from the MOA expiration date*.

2. MOA Section VII, DURATION:

- a. Delete the entire paragraph in its entirety and replace with:

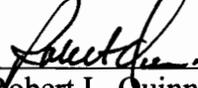
This MOA shall continue in effect from the date of Governor and Council approval through September 30, 2016, unless terminated earlier by either party.

3. All other provisions of MOA, approved by the Governor and Executive Council on January 14, 2015 shall remain in full force and effect.

Grantee Initials _____
Date _____

EFFECTIVE DATE OF THE AMENDMENT: This Amendment shall be effective upon its approval by the Governor and Executive Council of the State of New Hampshire. If approval is withheld, this document shall become null and void, with no further obligation or recourse to either party. IN WITNESS WHEREOF, the parties have hereunto set their hands:

NH Department of Safety, NHSP:



Colonel Robert L. Quinn
Director

8/15/15

Date

NH Department of Safety, HSEM:



Perry E. Plummer
Director

8/2/2015

Date

NH Department of Safety:



John J. Barthelmes
Commissioner

8/19/15

Date

Approved by the Attorney General this 27th day of August, 2015, as to form, substance and execution.

Office of the Attorney General:



Grantee Initials _____
Date _____



State of New Hampshire

DEPARTMENT OF SAFETY
 OFFICE OF THE COMMISSIONER
 33 HAZEN DR. CONCORD, NH 03305
 603/271-2791

JOHN J. BARTHELMES
 COMMISSIONER

GC# 33
 01-14-2015

December 26, 2014

Her Excellency, Governor Margaret Wood Hassan
 and the Honorable Council
 State House
 Concord, New Hampshire 03301

Requested Action

1. Pursuant to RSA 21-P:43, authorize the Department of Safety, Division of Homeland Security and Emergency Management, to enter into a Memorandum of Agreement (MOA) with the Department of Safety, Division of State Police (VC#177878-B001) for a total amount of \$95,825.00 for the purpose of enhancing the Department's cyber terrorism/cyber security and incident response capabilities. Effective upon Governor and Council approval through September 30, 2015. Funding Source: 100% Federal Funds.

Funding is available in an account titled "100% EMPG Local Match" as follows:

02-23-23-236010-80920000 -072-500576
 Activity Code: 23EM138092

SFY 2015
 \$95,825.00

2. Authorize the Department of Safety, Division of State Police, upon approval of requested action #1, to accept and expend \$95,825.00 of federal funds from the NH Department of Safety, Division of Homeland Security and Emergency Management for the purpose of enhancing the Department's cyber terrorism/cyber security and incident response capabilities. Effective upon Governor and Council approval through September 30, 2015. Funding source: 100% Agency Income.

Funds are to be budgeted as follows:

02-23-23-234010-3321000 Dept. of Safety Division of State Police Cyber Security Enhancement Training
 RSRC: 403283
 Amount: \$95,825.00

Class	Description	Current Adjusted Authorized	Requested Action	Revised Appropriation
009-403283	Agency Income	\$ (16,145.63)	\$ (95,825.00)	\$ (111,970.63)
030-500311	Equipment	\$ 13,549.64	\$ 16,000.00	\$ 29,549.64
038-500177	Technology - Software	\$ -	\$ 39,935.00	\$ 39,935.00
066-500555	Employee Training	\$ -	\$ 27,890.00	\$ 27,890.00
080-500710	Out-of State Travel	\$ 2,595.99	\$ 12,000.00	\$ 14,595.99
	Total	\$ 16,145.63	\$ 95,825.00	\$ 111,970.63

Explanation

The New Hampshire Division of State Police highly trained personnel are required to design and manage secure networks and information systems. Technical security training requires personnel with specific skill sets; therefore this project will provide the funding for personnel responsible for IT security to receive advanced information security training. Trained personnel will, in turn, provide training to other Safety and DoIT personnel utilizing a "train the trainer" concept. This grant will also allow for basic cyber security training for all employees at the Department of Safety, application white listing licenses for all desktops and laptops within the entire Department, as well as equipment to support the Security Operations Center.

Funds are to be budgeted as follows:

Class 030 funds, Equipment – These funds will be used to purchase Risk Assessment & Security Operations Center equipment.

Class 038 funds, Technology – Software – These funds will be used to purchase Malware protection software.

Class 066 funds, Employee Training – These funds will be used to purchase "on demand" training for the IT personnel.

Class 080 funds, Out-of-State Travel – These funds will be used to send IT personnel to attend advanced information security conferences and training.

In the event that Agency Income funds become no longer available, General Funds and/or Highway Funds will not be requested to support this program.

The Memorandum of Agreement listed above is funded from the FFY '13 Emergency Management Performance Grant, which was awarded to the Department of Safety, Division of Homeland Security and Emergency Management (HSEM) from the Federal Emergency Management Agency (FEMA). The grant funds may be used to measurably improve all-hazard planning and preparedness capabilities/activities, to include mitigation, preparedness, response, and recovery initiatives at the State and local levels. Applications are submitted to the HSEM office, which are reviewed by the HSEM Planning Chief, Assistant Planning Chief, and Field Representatives and approved by the HSEM Director. The criterion for approval is based on grant eligibility in accordance with the current grant guidance and the documented needs of the State or local jurisdiction.

The Emergency Management Performance Grant is 50% federally funded by FEMA with a 50% match requirement supplied by the Division of State Police. The Division of State Police acknowledges their match obligation in Section IV of the Memorandum of Agreement.

In the event that Federal Funds become no longer available, General Funds and/or Highway Funds will not be requested to support this program.

Respectfully submitted,


John J. Barthelmes
Commissioner of Safety

**MEMORANDUM OF AGREEMENT
BETWEEN
NEW HAMPSHIRE HOMELAND SECURITY & EMERGENCY MANAGEMENT
AND
THE NEW HAMPSHIRE STATE POLICE**

FFY '13 Emergency Management Performance Grant – Cyber Terrorism / Cyber Security & Incident Response Capability Project

I. PURPOSE

The purpose of this Memorandum of Agreement (MOA) is to provide funding in the amount of \$95,825.00 from the New Hampshire Department of Safety, Division of Homeland Security and Emergency Management to the New Hampshire Department of Safety (DOS), Division of State Police to further advance their Computer Security and Incident Response Capabilities.

II. PARTIES

The parties to this agreement are the New Hampshire Department of Safety, Division of Homeland Security (hereinafter referred to as "HSEM") and the New Hampshire Department of Safety, Division of State Police (hereinafter referred to as "NHSP").

III. AUTHORITY

The Emergency Management Performance Grant (EMPG) Program award by HSEM provides federal funds to assist state, local, tribal and territorial governments in preparing for all hazards, as authorized by Section 662 of the *Post Katrina Emergency Management Reform Act* (6 U.S.C. § 762) and the *Robert T. Stafford Disaster Relief and Emergency Assistance Act*, as amended (42 U.S.C. §§ 5121 et seq.). Title VI of the *Stafford Act* authorizes the Federal Emergency Management Agency (FEMA) to make grants for the purpose of providing a system of emergency preparedness for the protection of life and property in the United States from hazards and to vest responsibility for emergency preparedness jointly in the federal government and the states and their political subdivisions.

IV. SCOPE OF WORK

The purpose of this project is to further expand cyber security capabilities developed in previous EMPG Cyber Terrorism/Cyber Security Enhancement Training grant projects by enhancing the information security posture of critical DOS and other State information technology information assets. NHSP and the Department of Information Technology (hereinafter referred to as "DoIT") personnel responsible for IT security will receive advanced cyber security training in addition to what has been provided for the past two years. This investment will also fund basic cyber security awareness training for all DOS employees. Additionally, this investment will fund application white listing licenses for all DOS desktops and laptops. Application white listing is an alternative approach to malware detection. Also, this grant will fund equipment to support the new Security Operations Center located in the Incident Planning and Operations Center (IPOC).

HSEM agrees to provide \$95,825.00 in financial assistance to NHSP in support of the task listed above and in accordance with Paragraph V. The financial assistance to be provided by HSEM under this MOA requires a 50% match contribution of the total project cost from NHSP, DoIT, and other agency personnel. The match requirement will be met through salary and benefit cost analysis of agency personnel attending the training and utilizing the acquired hardware, software and other equipment in a cyber security capacity.

NHSP agrees to maintain financial records, supporting documents, and all other pertinent records for a period of seven (7) years. In these records, NHSP shall maintain documentation of the 50% cost share required by this MOA and agreed upon by NHSP.

V. FUNDING

HSEM will provide funding for this project totaling \$95,825.00. Funding will provide for both advanced cyber security training and equipment to enhance proactive and reactive cyber security capabilities. Funding will be transferred to an account maintained for this project by NHSP. NHSP agrees to document \$95,825.00 in matching expenditures.

VI. TERMINATION

This MOA may be terminated upon thirty (30) days written notice by either party. The funds (or pro-rated funds) must be returned if the MOA is terminated prior to the completion of the project.

VII. DURATION

This MOA shall continue in effect from the date of Governor and Council approval through September 30, 2015, unless terminated earlier by either party.

VIII. AGREEMENT

In WITNESS THEREOF, the parties hereto have executed this Agreement, which shall become effective on the date the Governor and Executive Council of the State of New Hampshire approve the agreement.

NH Department of Safety, NHSP

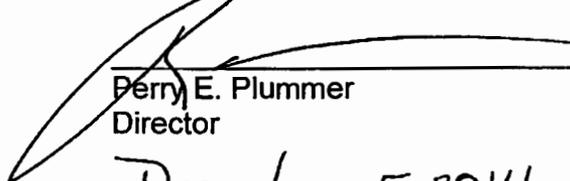


Colonel Robert Quinn
Director

12/11/14

Date

NH Department of Safety, HSEM



Perry E. Plummer
Director

December 5, 2014

Date

NH Department of Safety



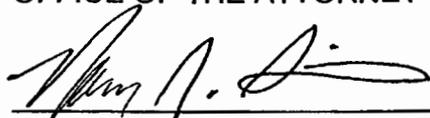
John J. Barthelmes
Commissioner

12/11/14

Date

Approved by the Attorney General this 11th day of December, 2014, as to form, substance and execution.

OFFICE OF THE ATTORNEY GENERAL



TITLE I THE STATE AND ITS GOVERNMENT

CHAPTER 21-P DEPARTMENT OF SAFETY

Homeland Security and Emergency Management

Section 21-P:43

21-P:43 Appropriations and Authority to Accept Services, Gifts, Grants, and Loans. – Each political subdivision may make appropriations in the manner provided by law for making appropriations for the ordinary expenses of such political subdivision for the payment of expenses of its local organization for emergency management. Whenever the federal government or any federal agency or officer offers to the state, or through the state to any of its political subdivisions, services, equipment, supplies, materials, or funds by way of gift, grant, or loan for purposes of emergency management the state, acting through the governor, commissioner, or such political subdivision, acting with the consent of the governor and through its executive officer, city council, or board of selectmen, may accept such offer, subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer. Whenever any person, firm or corporation offers to the state or to any of its political subdivisions services, equipment, supplies, materials, or funds by way of gift, grant, or loan for purposes of emergency management the state, acting through the governor, or such political subdivision, acting through its executive officer; city council, or board of selectmen, may accept such offer, subject to its terms.

Source. 2002, 257:7, eff. July 1, 2002.