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**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

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August 1, 2025

Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
State House
Concord, NH 03301

Your Excellency and Members of the Council:

REQUESTED ACTION

Authorize the Department of Justice (DOJ) to amend an existing subgrant with the New Hampshire Department of Safety (DOS), Concord, NH (Vendor # 311206-B001), approved by the Governor and Executive Council on February 21, 2024, Item #157, by extending the end date only from September 30, 2025 to September 30, 2026, with no change to the price limitation of \$1,555,000, for the purpose of enhancing the State's National Crime Information Center (NCIC) and National Instant Check System (NICS) Programs, expanding law enforcement access to the New Hampshire State Police's State Messaging Platform (SMP), and addressing the criminal record backlog by having paper fingerprint cards scanned and uploaded in the state's record system, effective upon approval of the Governor and Executive Council. 100% Federal Funds.

EXPLANATION

The New Hampshire Department of Justice (DOJ) is requesting an extension of a subaward with the New Hampshire Department of Safety (DOS) due to delays that were largely outside the subrecipient's control and stemmed from necessary adjustments in project scope and implementation. The delay primarily relates to the enhancement and conversion of the state's criminal history record system. The technical work required is significantly complex and must be carefully coordinated with DoIT staff and vendors to ensure continuity of operations and data security. These upgrades are critical to improving audit compliance with the FBI's three-year review cycle and would significantly reduce manual processing of records. Without additional time, DOS's ability to meet these federal requirements would be hindered, especially given limited state funding to carry out this work independently.

Several key projects, specifically the NICS XML Conversion, III XML Conversion, and QCHL Reports, have yet to be initiated. Per the vendor contract, these projects are scheduled to

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follow a future project roadmap. In the case of NICS and III, the State cannot proceed until our federal partners are prepared to do so.

During the first half of the year 2025, the DOS awarded approximately \$174,044 in equipment funding to eight agencies across the state. This funding supported the purchase of equipment necessary for initial connection to the State Messaging Platform (SMP), advancing integration efforts and strengthening statewide information sharing. DOS continues to make progress on expanding access to the SMP, with law enforcement agencies actively being identified for onboarding.

Lastly, the goal of transitioning paper fingerprint cards has just begun. The Department of Safety initially explored outsourcing the scanning of fingerprint cards but found that approach to be cost-prohibitive and potentially insecure. Concerns about the chain of custody, data integrity, and possible delays to law enforcement investigations prompted DOS to shift to an in-house solution. This required reallocating internal resources and procuring specialized equipment, which delayed the project start but is expected to result in a more secure and efficient process. The extension will allow the Department of Safety to complete this revised approach and fully meet the intended outcomes of the award.

On February 21, 2024, the Governor and Executive Council approved the NCHIP subgrant from the Department of Justice to New Hampshire Department of Safety in an amount not to exceed \$1,555,000 through September 30, 2025. The Department of Justice requests authorization to extend the end date only of this existing subaward, from September 30, 2025, to September 30, 2026. This will allow DOS time to continue with these programming objectives.

In the event that federal funds are no longer available, general funds will not be requested to support this program.

Please let me know if you have any questions concerning this request. Your consideration is greatly appreciated.

Respectfully submitted,



John M. Formella
Attorney General

#5157984

AMENDMENT TO GRANT AGREEMENT

This AMENDMENT TO INTERAGENCY MEMORANDUM OF UNDERSTANDING (the "Amendment") is entered into and effective as of the Effective Date (defined below) by and between as of the NEW HAMPSHIRE DEPARTMENT OF JUSTICE ("State") and the NEW HAMPSHIRE DEPARTMENT OF SAFETY ("Subrecipient"). State and Subrecipient are sometimes referred to herein singularly as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, the Parties entered into the Interagency Memorandum of Understanding as approved by the Governor and Executive Council of the State of New Hampshire on February 21, 2024 at Item # 157 (the "Agreement"), wherein the State agreed grant, and Subrecipient agreed to accept, certain sums upon the terms and conditions set forth therein; and

WHEREAS, in accordance with Paragraph 7 (6) of the Agreement, the Parties wish to amend the terms and conditions of the Agreement as further specified herein;

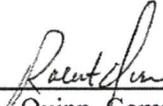
NOW THEREFORE, for good and valuable consideration exchanged, the receipt and sufficiency of which are hereby conclusively acknowledged, the Parties hereby agree to amend the Agreement as follows:

1. Amendment to Paragraph 4. The Grant Completion Date of 9/30/2025 is extended from 9/30/2025 to 9/30/2026. Any and all reference to 9/30/2025 is the agreement including Exhibits must be replaced by 9/30/2026.
2. Effect of Amendment. Except as provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect for all purposes.
3. Construction. The recitals set forth at the outset of this Amendment are a part of this Amendment, as fully as if set forth in their entirety in the body hereof. The captions or headings in this Amendment are for ease of reference only, and no caption or heading shall affect in any way the interpretation, meaning, or construction of this Amendment. Capitalized terms that are not defined within the text of this Amendment shall have the same meanings respectively ascribed to them in the Agreement.
4. Effective Date. The terms and conditions of this Amendment shall become effective on the date that it is approved the Governor and Executive Council of the State of New Hampshire (the "Effective Date").
5. Counterparts; Facsimile and Electronic Signatures. This Amendment may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Amendment. A facsimile or portable document format (PDF) signature on this Amendment shall be equivalent to, and have the same force and effect as, an original signature. In accordance with the New Hampshire Uniform Electronic Transactions

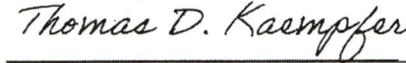
Act, RSA 294-E:1 *et seq.*, the Parties hereby agree that this Amendment may be signed electronically, including any exhibits, schedules, addenda, or other attachments referenced herein.

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the date adjacent to their respective signatures set forth below.

THE NEW HAMPSHIRE DEPARTMENT OF SAFETY

By:  7/18/25
Robert, L. Quinn, Commissioner
Authorized Representative Date

NEW HAMPSHIRE DEPARTMENT OF JUSTICE

By:  7/23/25
Thomas Kaempfer
Deputy Director of Administration Date

Approved by the Attorney General (Form, Substance and Execution)

By:  7/28/25
Date

JH

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

157

January 31, 2024

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, NH 03301

Your Excellency and Members of the Council:

REQUESTED ACTION

Authorize the Department of Justice (DOJ) to enter into a subgrant with the New Hampshire Department of Safety, Concord NH (Vendor # 311206-B001), in an amount not to exceed \$1,555,000, from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, National Criminal History Improvement Program (NCHIP) grant, for the purpose of enhancing the State's National Crime Information Center (NCIC) and National Instant Check System (NICS) programs, expanding law enforcement access to the New Hampshire State Police Message Platform (SMP), and addressing the criminal record backlog by having paper fingerprint cards scanned and uploaded in the state's record system, effective upon Governor and Executive Council approval through September 30, 2025. 100% Federal Funds.

Funding is available as follows:

02-20-20-201510-3426	<u>FY 2024</u>
<u>NCHIP</u>	
085-588523, Interagency Transfers out of Federal Funds	\$1,555,000

EXPLANATION

The Department of Justice (DOJ) requests authorization to subgrant funds to the Department of Safety (DOS) from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, National Criminal History Improvement Program (NCHIP). The goal of this federal grant is to improve and enhance criminal history record information for improved security.

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This subgrant will fund four projects. The first project is to enhance and upgrade the National Crime Information Center (NCIC). The NCIC database allows criminal justice agencies to provide or receive information about crimes and known criminals. This information has led law enforcement agencies to apprehend fugitives and locate missing persons. NCIC also protects the criminal justice community with warnings about especially violent criminals. Currently, the state's NCIC system is not in compliance with Federal Bureau of Investigation (FBI) NCIC standards to Query Criminal History Log (QCHL) reports. The NCIC system upgrade will restore this vital reporting mechanism.

The second project is to enhance and upgrade the National Instant Check System (NICS) managed by the New Hampshire State Police. NICS is the most efficient way to perform background checks for citizens wishing to purchase a firearm. This system requires a significant software upgrade to remain compatible with the FBI NICS record system. This upgrade is necessary to continue streamlining the background check process for New Hampshire firearm consumers.

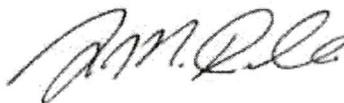
The third project is to expand the New Hampshire State Police Messaging Platform (SMP), also known as the State Police Online Telecommunication System (SPOTS). This system provides a collection of service applications which allows secure information data exchanges between state and federal criminal history databases. Funds from NCHIP will be used to purchase equipment and supplies needed to expand SPOTS to local law enforcement.

The fourth project is to upload a backlog of paper fingerprint cards into the state's criminal record system. The New Hampshire State Police Criminal Records Unit is the state's sole submitting agency for fingerprint images and criminal history data to the FBI record system. Fingerprints are now uploaded electronically. However, there is still a notable backlog of processed and submitted paper ink cards that require scanning and uploading into state's system to preserve information.

In the event that federal funds become no longer available, general funds will not be requested to support this program.

Please let me know if you have any questions concerning this request. Your consideration is greatly appreciated.

Respectfully submitted,



John M. Formella
Attorney General