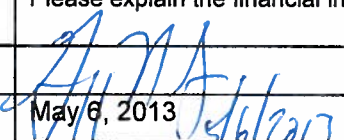


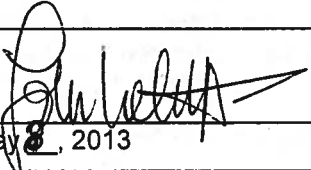
**DISCLOSURE BY NON-ELECTED STATE EMPLOYEE OF FINANCIAL INTEREST
AND DETERMINATION BY APPOINTING AUTHORITY
AS REQUIRED BY G. L. c. 268A, § 6**

RECEIVED
STATE ETHICS COMMISSION

2013 MAY 8 PM 1:26

	STATE EMPLOYEE INFORMATION
Name:	Gregory Smith
Title or Position:	Assistant General Counsel
State Agency:	Information Technology Division
Agency Address:	One Ashburton Place, Room 804, Boston, MA 02108
Office Phone:	617 619 5694
Office E-mail:	greg.smith@state.ma.us
	My duties require me to participate in a particular matter, and I may not participate because of a financial interest that I am disclosing here. I request a determination from my appointing authority about how I should proceed.
	PARTICULAR MATTER
Particular matter E.g., a judicial or other proceeding, application, submission, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, decision, determination, or finding.	<p>Please describe the particular matter.</p> <p>I plan to engage KPMG in a discussion of job opportunities available at KPMG. KPMG is a subcontractor on a security and network assessment contract I negotiated for ITD with JANUS Associates as the prime contractor (ITD RFQ 13-20).</p> <p>The PMT decided to select JANUS under ITD RFQ 13-20, and I primarily negotiated with JANUS, although some negotiation occurred with KPMG. This contract was signed off on at the end of February 2013. Presently, I am working on an amendment to change due dates. Last work on that was April 29. Email received from KPMG on May 6.</p>
Your required participation in the particular matter: E.g., approval, disapproval, decision, recommendation, rendering advice, investigation, other.	<p>Please describe the task you are required to perform with respect to the particular matter.</p> <p>None of substance. I was handling a negotiation of an amendment to the scope of work prior to this disclosure that allowed Project Managers to alter contract deadlines within parameters, but the draft of that has been on JANUS's desk as of April 29.</p> <p>Also, please note that the General Counsel at ITD reviews all of my work product, and I have disclosed that my resume has been circulated and that KPMG has contacted me.</p>
	FINANCIAL INTEREST IN THE PARTICULAR MATTER
Write an X by all that apply.	<p><input type="checkbox"/> I have a financial interest in the matter.</p> <p><input type="checkbox"/> My immediate family member has a financial interest in the matter.</p> <p><input type="checkbox"/> My business partner has a financial interest in the matter.</p> <p><input type="checkbox"/> I am an officer, director, trustee, partner or employee of a business organization, and the business organization has a financial interest in the matter.</p> <p><input checked="" type="checkbox"/> I am negotiating or have made an arrangement concerning future employment with a person or organization, and the person or organization has a financial interest in the matter.</p>
Financial interest in the matter	Please explain the financial interest and include a dollar amount if you know it.
Employee signature:	
Date:	May 6, 2013 5/6/2013

DETERMINATION BY APPOINTING OFFICIAL

APPOINTING AUTHORITY INFORMATION	
Name of Appointing Authority:	John Letchford
Title or Position:	Commonwealth Chief Information Officer
Agency/Department:	Information Technology Division
Agency Address:	One Ashburton Place, Room 801, Boston, MA 02108
Office Phone:	617.626.4434
Office E-mail	John.Letchford@state.ma.us
DETERMINATION	
Determination by appointing authority: Write an X by your selection.	<p>As appointing official, as required by G.L. c. 268A, § 6, I have reviewed the particular matter and the financial interest identified above by a state employee.</p> <p><input type="checkbox"/> I am assigning the particular matter to another employee, or</p> <p><input type="checkbox"/> I am assuming responsibility for the particular matter, or</p> <p><input checked="" type="checkbox"/> I have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the Commonwealth may expect from the employee.</p>
Appointing Authority signature:	
Date:	May 8, 2013
Comment:	

Attach additional pages if necessary.
File copy with:

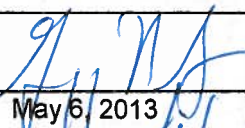
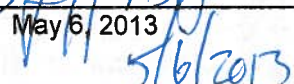
State Ethics Commission, One Ashburton Place, Room 619, Boston, MA 02108

Form Revised February, 2012

**DISCLOSURE OF APPEARANCE OF CONFLICT OF INTEREST
AS REQUIRED BY G. L. c. 268A, § 23(b)(3)**

RECEIVED
STATE ETHICS COMMISSION
2013 MAY -8 PM 1:26

	PUBLIC EMPLOYEE INFORMATION
Name of public employee:	Gregory Smith
Title or Position:	Assistant General Counsel
Agency/Department:	Information Technology Division
Agency address:	One Ashburton Place, Room 804, Boston, MA 02108
Office Phone:	(617) 619-5694
Office E-mail:	greg.smith@state.ma.us
	<p>In my capacity as a state, county or municipal employee, I am expected to take certain actions in the performance of my official duties. Under the circumstances, a reasonable person could conclude that a person or organization could unduly enjoy my favor or improperly influence me when I perform my official duties, or that I am likely to act or fail to act as a result of kinship, rank, position or undue influence of a party or person.</p> <p>I am filing this disclosure to disclose the facts about this relationship or affiliation and to dispel the appearance of a conflict of interest.</p>
	APPEARANCE OF FAVORITISM OR INFLUENCE
Describe the issue that is coming before you for action or decision.	<p>Pursuant to Part V of Advisory 90-01: Negotiating for Prospective Employment (http://www.mass.gov/ethics/education-and-training-resources/educational-materials/advisories/advisory-90-01-prospective-employment.html), I am disclosing conversations on May 2, 2013 with personal relations of mine who are former colleagues from my time as an IT consultant at American Management Systems (1999-2003) – these relationships existed years prior to my joining the Commonwealth. I was recently certified as a Java computer programmer, and I asked them if they had any connections in the Boston area who might be looking for a computer programmer. I provided them a copy of my resume so they could see my current skillset. I did <u>not</u> ask them if the companies they work for would hire me. These personal relations now work for the following companies: IBM, KPMG and Google. I have not heard back from my former colleague who works at Google. The former colleague who now works at IBM (and just started there within the past few weeks) sent my resume on to other colleagues from my time at American Management Systems whom I did not include in our initial conversation. These colleagues work at KPMG and Deloitte. My resume was forwarded to at least one recruiter at KPMG, although I'm not certain if it was by the former colleague I contacted or the former colleague who was contacted on my behalf. American Management Systems was acquired by CGI shortly after I stopped working there.</p> <p>I am an employee at ITD, and I handle a variety of IT contracts. I have worked on contracts in the past that involve IBM, Deloitte and KPMG. I have not worked directly on contracts that involve CGI or, to my knowledge, Google. I do not supervise any employees, although I am a manager-level employee. All of my work product is reviewed and signed off on by my supervisor, Linda Hamel, the General Counsel of ITD.</p> <p>On May 6, I informed my supervisor, Linda Hamel, General Counsel of ITD, of my informal conversations with my former colleagues and also of an unopened email, apparently from the KPMG recruiter. I will file a separate disclosure under Section 6 relating to contacting KPMG and any future "negotiat[ion] for prospective employment" with any of these entities (or other entities that fall under Section 6).</p>

What responsibility do you have for taking action or making a decision?	None. The General Counsel at ITD reviews all of my work product, and I have disclosed that my resume has been circulated and that KPMG has contacted me.
Explain your relationship or affiliation to the person or organization.	Prior to joining the Commonwealth, I worked as an IT consultant and forged relationships with many people. We keep in touch on Facebook and LinkedIn, and I have caught up with some of them when they are on assignment in the Boston area. Post-American Management Systems, they have gone on to work at companies who happen to also work for the Commonwealth.
How do your official actions or decision matter to the person or organization?	They do not – I am not currently negotiating contracts for ITD with any of the above entities. Plus, the General Counsel at ITD reviews all of my work product, and I have disclosed that my resume has been circulated and that KPMG has contacted me.
Optional: Additional facts – e.g., why there is a low risk of undue favoritism or improper influence.	I am not currently negotiating contracts for ITD with any of the above entities. Plus, the General Counsel at ITD reviews all of my work product, and I have disclosed that my resume has been circulated and that KPMG has contacted me.
If you cannot confirm this statement, you should recuse yourself.	WRITE AN X TO CONFIRM THE STATEMENT BELOW. <input checked="" type="checkbox"/> Taking into account the facts that I have disclosed above, I feel that I can perform my official duties objectively and fairly.
Employee signature:	
Date:	May 6, 2013 

Attach additional pages if necessary.

Not elected to your public position – file with your appointing authority.

Elected state or county employees – file with the State Ethics Commission.

Members of the General Court – file with the House or Senate clerk or the State Ethics Commission.

Elected municipal employee – file with the City Clerk or Town Clerk.

Elected regional school committee member – file with the clerk or secretary of the committee.