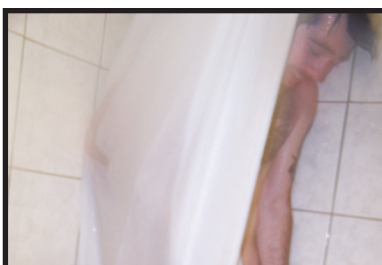
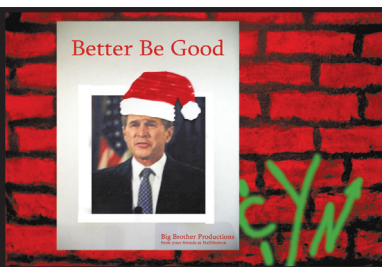


news to us



FROM BOTTOM TO TOP: SCOTT HERRIGAN, LISA HAYES, ALEXANDER DRUM, JORDY HERTBERG, JORDY HERTBERG. GOT SOME RANDOM PHOTOS? SUBMIT THEM TO DESIGN@WEEKLYDIG.COM AND THEY MIGHT END UP HERE.

TROJAN HORSE?

Governor-elect cuddles up with former Microsoft lobbyist

BY PAUL MCMORROW | PAUL@WEEKLYDIG.COM

As he transitions into his role as governor, Deval Patrick has repeatedly tripped into the arms of the hated Beacon Hill Establishment. He's been caught soliciting \$1.6 million in corporate money for an extravagant week-long inauguration; his incoming chief of staff is being feted by Jack Abramoff's old law firm; and his running mate, Tim Murray, was crucified last week for agreeing to a closed-door breakfast with Tom O'Neill's power-lobbying firm.

Still, brunching with a few lobbyists is one thing, and elevating a misbehaving software lobbyist to an advisory position for tech policy is another. But that's just what Patrick did when he invited Brian Burke (Microsoft's regional lobbying chief and an old pal from the Clinton administration) to join his transition team's technology working group. Of all Patrick's recent missteps, Burke's presence on Patrick's transition team may speak loudest to a troubling inability to reconcile hustings idealism with governing.

Some background: Like most city and state governments, Massachusetts's executive branch relies heavily on Microsoft's Office software suite. More than a year ago, the state's then-chief information officer, Peter Quinn, unveiled a plan to have Massachusetts's executive branch ditch Office in favor of the non-proprietary OpenDocument file format (ODF).

The state would be free to stop paying Microsoft's hefty licensing fees without losing access to its own documents, because ODF-compliant files can be opened with any number of competing—or even free—software applications. The global IT community sees Massachusetts's experience with ODF as a landmark test case: If it goes well, scores of other governments and corporations will most likely follow suit and dump Microsoft.

But in late 2005 and early 2006,

Massachusetts's planned ODF conversion became the subject of an intense, expensive political fight—a rare occurrence in the history of state IT policy.

Secretary of State Bill Galvin, Microsoft lobbyists, and Quincy state Senator Michael Morrissey teamed up to derail the state Information Technology Division's (ITD) planned ODF conversion. Morrissey inserted an amendment into an economic stimulus bill that would've stripped ITD of its decision-making authority, as well as prevented cities and towns from adopting ODF standards without the state's say-so.

The Romney administration, OpenDocument activists and lobbyists for Sun and IBM howled in opposition; they saw the neutering of ITD as a Microsoft power play perpetrated by a hack politician who, until then, had always been disinterested in IT policy.

Morrissey amendment wasn't actually meant to strip ITD of its authority—it was just a tool to bully them into doing what the company wanted.

This sort of backroom bullshit—lobbyists pushing legislation that hamstring public policy and protects corporate profits—is, of course, the epitome of the “Beacon Hill culture” that Patrick pilloried as a candidate.

As of yet, Burke has not detonated any kind of Trojan Horse lobbyist-bomb. While internal transition team deliberations are confidential, we've heard that the tone of discussions thus far has been amicable, and that OpenDocument discussions have far from dominated the group's agenda. ODF supporters, including Gutierrez, also serve on the working group.

Patrick spokeswoman Cyndi Roy says that it's “too soon to make any sort of decision” on the administration's

This sort of backroom bullshit is, of course, the epitome of the “Beacon Hill culture” that Patrick pilloried as a candidate.

The omnibus bill containing Morrissey's amendment ended up being stalled for more than half a year, and in the intervening period, the amendment was killed. ITD had struck a compromise with Microsoft, wherein the state wouldn't immediately dump Office, and instead rely on save-to-ODF converters within the Office suite; in exchange, Microsoft would stop lobbying the legislature to kill ITD, and instead devote its energy to becoming ODF-compliant.

A *Computerworld* article that ran last week detailed Burke's involvement in this saga. In emails between Louis Gutierrez, a Microsoft official and the state CIO, Microsoft confirms that Burke had Morrissey insert the destructive amendment; Microsoft's emails say that the

OpenDocument policy, and she denies that there's anything unseemly about Burke's appointment. “There are two hundred people serving on the working groups, and [Patrick] doesn't necessarily share their views. Ultimately, the governor-elect will set policies based on what he feels is best for the people of Massachusetts.”

She adds that working groups don't set policy—they relay ideas from the public to the governor-elect.

Likewise, acting CIO Bethann Pepoli says that the state is still on schedule to begin its ODF conversion. It'll begin days before Patrick is sworn in. “Nobody told us, ‘Don't do anything.’ So we're going to continue to move forward based on the schedule we have.” ☹