

Ethics and Elections Committee
Report to the Board Concerning Doug Rehman, K4AC Re-Election Qualification
September 22, 2016

To the members of the ARRL Board of Directors:

On Sunday evening, September 18, 2016 at 9:00 EDT the Elections and Ethics Committee met by telephone conference call to consider several issues relating to the Election in the Southeastern Division for Director. On the call were E&E Committee member-directors Dale Williams, Rod Blocksome and Kent Olson, and at the request of the Committee for advisory purposes, CEO Tom Gallagher and General Counsel Chris Imlay.

There were two candidates for election, Doug Rehman, K4AC and Greg Sarratt, W4OZK. Both candidates had previously been found basically qualified to run for election as Director.

However, subsequent to those findings, there were multiple complaints filed by Director Rehman against Sarratt, one of which has been adjudicated by the E&E Committee and the Board has declined to review that decision. It pertained to the contents of an election flyer that was circulated by Sarratt as part of his campaign. The other Rehman complaint against Sarratt, which pertains to the connection between Sarratt and electronics equipment manufacturer and dealer Gigaparts, has been investigated and adjudicated by the E&E Committee recently and a separate report to the Board will be issued immediately. The findings of the E&E Committee with respect to that complaint are that there is no substantial evidence raised by Mr. Rehman that could lead to disqualification of Sarratt. Therefore, no action will be taken on that complaint by the Committee. Mr. Rehman has asked the Board to review that issue but his request was, in the view of the Committee, premature inasmuch as no action had been taken by the Committee on that complaint at the time of Mr. Rehman's request. Mr. Rehman may choose to renew his request upon distribution of the Board report from this Committee when that report is circulated.

Before the E&E Committee on September 18 were the following four issues:

1. A written request from Director Lisenco to the E&E Committee dated September 11, 2016 constituting a formal complaint regarding the manner in which Director Rehman is conducting his 2016 campaign for Director of the Southeastern Division (A copy of that complaint with attachments is attached to this report as Exhibit A).
2. Consideration of the status of Director Rehman's basic qualifications to participate in the election in view of his failure to remove certain campaign statements as previously requested by the E&E Committee. (Correspondence on that subject attached hereto as Exhibit B).
3. A written complaint against Director Rehman's campaign material and his contacts with Gigaparts in connection with his campaign, filed by Mr. Sarratt on or about September 2, 2016 (Correspondence on that subject is attached hereto as Exhibit C).
4. A determination of whether or not additional information from HQ is necessary in order for the Committee to review Rehman's "Ethics Complaint #1" against Sarratt pertaining to Sarratt's

relationship with Gigaparts (Correspondence relating to this matter is attached hereto as Exhibit D).

Issue 1.

The Committee reviewed Director Lisenco's complaint about Director Rehman's campaign tactics. Lisenco requested removal, censure and/or disqualification of Mr. Rehman based on the contents of Rehman's QRZ.com campaign statement and Facebook page campaign statement. According to Lisenco:

Mr. Rehman's campaign statement on QRZ.COM, also found on his Facebook reelection campaign page, which is addressed to all of the ARRL membership, intentionally impugns the integrity of the members of the ARRL Board of Directors. In doing this, Mr. Rehman shows complete disdain for the instruction of Section 2.1 which also states that "In your service as an Officer or Director, your sense of ethics must guide you in a pattern of behavior that will be beyond reproach."

I believe that Mr. Rehman has violated these tenets. He has made very public, multiple disparaging remarks regarding the Board as follows:

- He smears the Board when he states that there are "far too few" good people on the Board, blatantly implying that the many others are 'bad.'
- He spreads falsehoods and lies by claiming that the Board intentionally encrypts meeting minutes to obfuscate the work of the Board.
- He claims that he will "pull the curtain back on the ARRL Board and the bleak future the League faces" by giving "some insight of things to look for in the purposefully cryptic Board minutes that will help you determine who the good guys are and who the institutionalized power elites are (or were)."
- He defiles the members of the Board by alleging that we are not servicing our Divisions.
- He asserts that the Board is responsible for a "disease that has been slowly killing the League for many years."
- He disparages the Board with claims that most of us are sleazy "purveyors of backroom politics."
- He contemptuously attacks the Board by stating that all we do is "conspire to maintain (our) self-serving grasp on power."
- He publicly uses hearsay and sensationalized statements with no proof shown.

Mr. Rehman is running a most disgusting and unethical campaign. His attacks are cowardly, libelous attempts at maligning the good work performed by the other 14 volunteer Directors. His outright contempt for the Board shows that he is incapable of working in a collegial, professional manner. As such, he has become an impediment to the work of the Board.

Lisenco attached screen shots of the QRZ.com and Facebook postings of Rehman as they existed on that date. Quoting from the QRZ.com page referenced by Lisenco:

The election in the Southeastern Division is going to be a referendum on ARRL Board governance including ethics, transparency, accountability, and vision for the future.

Over the coming weeks I will pull the curtain back on the ARRL Board and the bleak future the League faces unless there is serious reform—reform that will only happen if the membership pays attention to whether or not they are being served by their representatives. I'll be posting a number of motions to address issues with governance and ethics, motions that I will make at the January 2017 Board meeting if reelected.

There are some good people on the Board, but far too few. In the coming weeks, I'll give you some insight of things to look for in the purposefully cryptic Board minutes that will help you determine who the good guys are and who the institutionalized power elites are (or were).

Start taking back the League now by spreading this message to every amateur that you can!

To get the latest info, visit and like my campaign page on Facebook: <https://www.facebook.com/reelect.k4ac/>

Notably, on the same QRZ.com web page as viewed on Sept 19 2016 8:29 am, the same language still appears *verbatim*.

The Facebook page cited by Lisenco as of the date of Lisenco's complaint included the same entries and more, as included in Exhibit A.

Prior to receiving the Lisenco complaint about Rehman, the Ethics and Elections Committee had independently found what we considered a disturbing statement on Rehman's QRZ.com web page and his re-election Facebook page:

"I have already been told that members of the Board have been communicating privately with members in the Southeastern Division to lobby our members to replace me. The purveyors of backroom politics on the Board would like nothing better than to have a different Southeastern Division Director in January—someone that will conspire with them to maintain their self-serving grasp on power rather than someone that has been fighting it at every turn and fighting to revitalize the League."

The committee communicated with Mr. Rehman by e-mail and noted that rumors and innuendos of this type have no place in ARRL elections and that Rehman resorted to making unsupported third-party statements that stand to disparage the integrity of the entire ARRL Board and the League as a whole. Rehman was asked to remove those statements from his several campaign web sites. He responded that he would do so but as of September 19, 2016 at 8:34 AM, the following continued to appear on his Facebook page:

Reelect K4AC Southeastern Division Director

August 26 at 3:08pm ·

The election in the Southeastern Division is going to be a referendum on ARRL Board governance including ethics, transparency, accountability, and vision for the future.

Over the coming weeks I will pull the curtain back on the ARRL Board and the bleak future the League faces unless there is serious reform—reform that will only happen if the membership pays attention to whether or not they are being served by their representatives. I'll be posting a number of motions to address issues with governance and ethics, motions that I will make at the January 2017 Board meeting if reelected.

There are some good people on the Board, but far too few. In the coming weeks, I'll give you some insight of things to look for in the purposefully cryptic Board minutes that will help you determine who the good guys are and who the institutionalized power elites are (or were).

If you value the League and amateur radio, it is time to get off the sidelines. Without each one of you doing everything you can to crush the disease that has been slowly killing the League for many years, the future will be bleak.

Start taking back the League now by spreading this message to every amateur that you can—please click Like to get notifications of future posts and Share so others can become aware!

Reelect K4AC Southeastern Division Director

August 31 at 9:40pm ·

First Motion for January 2017 Board Meeting if Reelected

This is actually a motion that I made at the July 2015 Board Meeting. Only two of fifteen Directors joined with me to vote in favor of adding a modicum of transparency to the Board's governance of the League. Now more than ever, I'm convinced that it is essential to the future of the ARRL and will make this motion again in January—along with a host of others I will be revealing over the upcoming weeks. Like the page to get notifications of new posts.

The motion is to make audio recordings of all in person meetings of the Board, excluding any portion(s) where the Body of the Whole is in session, and make them available to members at the time the minutes of that meeting are released to members effective starting with the next in-person meeting of the Board.

Here's the link to the minutes from the July 2015 Board Meeting (Minute 36): http://www.arrl.org/.../Boar.../2015_July_ARRL_Board_Minutes.pdf

Reelect K4AC Southeastern Division Director

September 1 at 12:15pm ·

The First Lie You Are Told By Fellow Directors

As a brand new Director, I was told over and over how you have to build consensus to get motions passed. I was told go to other Directors and get their support. I did this and discovered that it was a meaningless waste of time. When it came time for the actual vote on the motion I had attempted to build consensus on, multiple Directors that had told me they would vote in favor of it voted against it.

I came to learn that this is standard League politics where the word of some Directors is absolutely worthless. They will say one thing in private and vote differently. There are only a small handful of Directors I will ask in advance if they will support a motion. Those Directors will honestly tell me one way or the other; we don't always agree on an issue, but I absolutely respect them for their candor and for casting a vote how they have said they will.

I was subsequently told by several Directors that have become good friends that there not all Directors will be honest with you.

In an election within the Board, I had told one person that I would support them weeks before the election. When events caused me to change my position, I went to that person and told them I was going to vote for the other candidate and explained my reasons why. That person lost the election. He came to me afterwards and said that five people who had said they would vote for him didn't—I was the only one that told him in advance.

Honorable men are up front with each other.

The E&E Committee views these campaign statements as very serious indeed. Mr. Rehman is clearly disparaging the Board of Directors as a whole in an effort to be perceived as the whistleblower and savior of the ARRL. By employing this campaign tactic, he attempts to serve himself by denigrating the vast majority of the Board and denigrates the League as a whole. No one reading that campaign material would want to become a League member. Mr. Rehman depicts his view of internal Board deliberations and the means by which decisionmaking is done and accuses the ARRL Board as a whole of covering up information from the membership in order to preserve the status quo in the organization.

Quoting from ARRL Bylaw 41: "There shall be an Ethics and Elections Committee composed of three Directors, who may also serve on other committees without restriction. The Committee *shall*:..." (at bullet point 4) "Supervise the balloting for Director and Vice Director, *including but not limited to review of all campaign statements and materials*, oversight of the balloting process in accordance with Bylaw 20, and releasing the election results". It is readily apparent that the Committee has the authority to review all of Mr. Rehman's campaign materials.

Section 2.1 of the Director's Workbook provides examples of bad ethical conduct. These include: "on-the-air campaigning for elected office, *criticism of fellow Directors, and/or promoting personal ideas*, may not be appropriate, and are not sanctioned by ARRL."

Section 2.3, though pertaining to the 300-word candidate statement, states that: "Each candidate for Director, Vice Director or Section Manager may submit a 300-word statement for inclusion with the ballot. The submission of this statement shall be filed as elsewhere required, and must be truthful and not misleading, which matters will be conclusively determined by the Ethics & Elections Committee. With this statement, the candidate may submit his or her black and white photograph not larger than 3 inches high and 2 inches wide to likewise be included with the ballot. *The standards of truth apply to all mailings by a candidate.*" The QRZ.com post of Mr. Rehman qualifies as a mailing by a candidate and that sentence is not limited to the 300-word

candidate's statement. Mr. Rehman states his own, very negative views but cites no facts to back them up.

The Committee determined that Mr. Rehman's campaign materials on his QRZ.com campaign page and on his Facebook page were, and continue to be, unethical and improper and justify his disqualification as a candidate for re-election as Director. The totality of Mr. Lisenco's complaint separately and independently justifies and necessitates the disqualification of Rehman as a candidate for re-election. There have been multiple, clear violations of Mr. Rehman's duty of loyalty to ARRL as a member of the Board of Directors and thus his fiduciary duty to the organization, all in an effort to support his own personal candidacy. His postings, which are available to all radio amateurs nationwide, tend to seriously discourage membership in the organization. Bylaw 29 specifies that, on questions of order and procedure not otherwise determined by the Bylaws the provisions of the current edition of Robert's Rules of Order shall prevail." Robert's Rules of Order, at Section 60 pertaining to "Offenses other than in a Meeting", states that "If there is an article on discipline in the Bylaws, it may specify a number of offenses outside meetings for which penalties...can be imposed on a member found guilty of conduct described for example, as 'tending to injure the good name of the organization, disturb its well-being, or hamper it in its work.' in any society, behavior of this nature is a serious offense properly subject to disciplinary action, whether the bylaws make mention of it or not."

Issue 2.

The second issue was the failure of Director Rehman to remove offending material from the QRZ.com and Facebook campaign sites as directed by the E&E Committee. The facts of this matter are discussed briefly above in connection with the discussion of Mr. Lisenco's complaint. Essentially, upon review of the campaign sites, Mr. Rehman was asked to remove certain material from them. Specifically, on September 6, the following e-mail was sent from the Committee to Director Rehman:

From: Dale Williams [<mailto:dale.wms1@frontier.com>]
Sent: Tuesday, September 6, 2016 10:03 PM
To: Doug Rehman <doug@k4ac.com>
Cc: Rod Blocksome <rod.blocksome@gmail.com>;
Olson Kent (KA0LDG) <ka0ldg@arrl.org>; Chris Imlay <w3kd.arrl@gmail.com>;
Rick Roderick <k5ur@aol.com>; Gallagher, Tom, NY2RF <tgallagher@arrl.org>
Subject: Statements

Dear Mr Rehman,

The ARRL Ethics and Elections Committee has found this rather disturbing statement on your QRZ.COM® web page: "I have already been told that members of the Board have been communicating privately with members in the Southeastern Division to lobby our members to replace me. The purveyors of backroom politics on the Board would like nothing better than to have a different Southeastern Division Director in January—someone that will conspire with them to maintain their self-

serving grasp on power rather than someone that has been fighting it at every turn and fighting to revitalize the League."

Rumors and innuendos of this type have no place in ARRL elections. On your own Facebook @ page you state: "Honorable men are up front with each other." And yet you have resorted into making the above unsupported third-party statement that stands to impugn the integrity of the entire ARRL membership.

Quoting from ARRL bylaws (emphasis added): "41. There shall be an Ethics and Elections Committee composed of three Directors, who may also serve on other committees without restriction. The Committee *shall*:..." at bullet point 4 ..."Supervise the balloting for Director and Vice Director, *including but not limited to review of all campaign statements and materials*, oversight of the balloting process in accordance with Bylaw 20, and releasing the election results".

The Ethics and elections Committee therefor requires the immediate removal of said statements from the above referenced QRZ page and/or similar pages or you risk disqualification from the election process based upon your making disparaging and unsupported statements in your campaign material.

Please notify this committee when these changes have been made.

ARRL Ethics and Elections Committee

Rod Blocksome KØDAS
Kent Olson KAØLDG
Dale Williams WA8EFK

On September 7, Mr. Rehman responded as follows:

While I respectfully, but firmly, believe that the E&E has overstepped its legal authority by demanding, on threat of action against me, that the requested statements be removed, I have, as a courtesy, removed those sentences.

Doug
K4AC

While Mr. Rehman may have removed the specific segment that the Committee asked him to remove stating that members of the Board have been lobbying Southeastern Division hams to replace Rehman, the remainder of the materials disparaging the Board and denigrating the ARRL's integrity organizationally remained unmodified thereafter and to the present time, and those formed the basis for the Lisenco complaint. The Committee finds that the remainder of the materials on the two web sites disqualify Mr. Rehman as a candidate for re-election.

Issue 3.

Election Candidate Sarratt's complaint against Mr. Rehman deals with intimidating conduct of Rehman relative to Gigaparts and the threats that Rehman made to Gigaparts to make an issue out of Gigaparts' hosting of a web site for Sarratt. This is viewed by the Committee as an unfair election tactic. While Gigaparts is not an ARRL advertiser at present, Mr. Rehman's attempted intimidation of Gigaparts to cease any web hosting or other support for Mr. Sarratt's candidacy for ARRL Director stands to create an antagonistic attitude between ARRL and Gigaparts that is damaging to ARRL's industry relations. Mr. Rehman, in his capacity as an ARRL Director and candidate for reelection approached Gigaparts (having previously complained to the E&E Committee about Mr. Sarratt's alleged relationship with Gigaparts and before any final adjudication of that complaint) and stated that he (Mr. Rehman) had filed a complaint with the League's Elections and Ethics Committee against Sarratt for accepting what he asserted was an in-kind campaign contribution from Gigaparts for the hosting of Sarratt's website. Although allegedly discounting any claim that Gigaparts did anything wrong (and putting the blame for alleged wrongdoing only on Sarratt, itself an unfair campaign tactic), Rehman's unauthorized and unsanctioned contact with Gigaparts about an internal ARRL campaign dispute while it was under investigation by this Committee is alleged by Sarratt to constitute unauthorized disclosure of confidential information to a third person or entity. Worse than that in the opinion of the Committee is the fact that the contact by Rehman with Gigaparts was clearly intended to intimidate Gigaparts (which has a business incentive to avoid any conflict or involvement in any ARRL dispute that might become public and might reflect adversely on the reputation of that company). According to Gigaparts, Mr. Rehman made the following statement among others: "When the ethics complaint is settled and if there is not a disqualification, the hosting will become a part of my campaigning. I will make it clear that Gigaparts bears no responsibility in the matter." Notwithstanding the disclaimer, the statement made it clear that Gigaparts would be publicly and unwillingly dragged into the issue of alleged wrongdoing by Sarratt although Gigaparts wanted nothing to do with the dispute or with ARRL's processes. Although Gigaparts is not now and has not for several years been an ARRL advertiser, an ARRL Director cannot create an adversarial relationship between ARRL and equipment manufacturers and dealers. Those relationships are critical to the survival of the League and our advertising revenues. The contacting of Gigaparts based on personal motivations by Rehman in an intimidating effort to cause them to sever ties with Sarratt was obviously inappropriate and the E&E Committee finds Mr. Rehman's actions in this matter disqualifying.

Issue 4.

The fourth issue considered by the E&E Committee was whether or not the Committee wished to review additional material with respect to Mr. Rehman's pending ethics complaint #1 against Sarratt pertaining to Sarratt's relationship with Gigaparts. Rehman had instructed Tom Gallagher to provide documents to the Committee that the Committee had not requested. The Committee received on September 15, 2016 a copy of an e-mail from Chris Imlay to Rehman pertaining to this. The relevant part reads as follows:

To Doug,, Tom,, Rick, Dale, Rod,, Kent

Doug, Tom Gallagher has referred your request to me for an opinion as to the propriety of your request to Tom to produce the documents that you ask be provided (presumably to deliver them to the E&E Committee rather than to yourself) in connection with your "Ethics Complaint #1" that you lodged with the E&E about your opponent in the current election, Greg Sarratt. Specifically, you have requested that Tom "produce, as part of the record before E&E, each nomination form filed by Greg Sarratt, W4OZK, present and in the past, and each annual disclosure filed by Sarratt while he was a Director."

This request pertains to the following complaint that you filed with the Elections and Ethics Committee on or about August 24:

I hereby relate the following information and call for the immediate disqualification of Greg Sarratt, W4OZK, as a candidate for Southeastern Division Director.

E&E replied to my nameless inquiry concerning the soliciting and/or receipt of monetary and/or in kind contributions from an amateur radio vendor by a candidate for the Board by stating that it is "truly unethical". This is a standard far beyond being of questionable ethics.

I have heard rumors that Sarratt has approached amateur radio vendors at a Convention and solicited campaign contributions from them. Those rumors if true disqualify Sarratt from being a candidate for Director. The following information shows that Sarratt has indeed accepted in kind campaign contributions from an amateur radio vendor.

I have discovered that Sarratt's campaign website, www.w4ozk.com, is currently hosted by Alabama based amateur radio vendor Gigaparts. Further investigation revealed that this has been the case since at least 01/11/2012. It is probable that this was the case in the 2010 election cycle when I lost to Sarratt. The unequivocal evidence shows that as a sitting Director, Sarratt accepted an in kind campaign contribution by Gigaparts during the election cycle of 2013 when I defeated him.

Sarratt served as a Director for six years, including a stint on the Ethics and Elections Committee as Chair—an assignment cut short due to his actions concerning an ongoing election the committee was overseeing. His actions in having his personal campaign website hosted by Gigaparts are willful and intentional. There can be no excuse of he didn't know any better; Sarratt is not a candidate for the Board that has no previous knowledge of the League's ethics policies.

I must presume that Sarratt did not disclose his ongoing relationship with Gigaparts on 4C of his nomination questionnaire as the E&E would surely have found him to be disqualified for having committed a "truly unethical" act by accepting an in kind donation from an amateur radio vendor.

Below are the publically available sources of information that unequivocally prove my charges:

Internet Archive of Sarratt's campaign website ([w4ozk.com](http://www.w4ozk.com)) on 11/06/2010: <https://web.archive.org/web/20101106142423/http://www.w4ozk.com/> (PDF Attached)

Internet Archive of Sarratt's campaign website ([w4ozk.com](http://www.w4ozk.com)) on 09/30/2013: <https://web.archive.org/web/20130930071730/http://www.w4ozk.com/> (PDF Attached)

Sarratt's campaign website currently: <http://www.w4ozk.com/> (PDF Attached)

DNS Report on [w4ozk.com](http://www.w4ozk.com) (note the [gigaparts.net](http://www.gigaparts.net) nameservers under "PARENT"): <http://www.dnsstuff.com/tools#dnsReport?type=domain&&value=w4ozk.com> (PDF Attached)

IP History for [w4ozk.com](http://www.w4ozk.com): <http://viewdns.info/iphistory/?domain=w4ozk.com> (PDF Attached)

IP History for [gigaparts.com](http://www.gigaparts.com): <http://viewdns.info/iphistory/?domain=gigaparts.com> (PDF Attached)

While a false or misleading statement by a candidate can be cured by a retraction and notification, there is no way to cure a "truly unethical" breach of ethics. The only appropriate remedy to Sarratt's "truly unethical" violation of accepting an in kind campaign contribution from an amateur radio vendor is his immediate disqualification. The only appropriate remedy to Sarratt's failure to disclose the relationship with an amateur radio vendor on his questionnaire is his immediate disqualification.

I am preparing a web page to be placed on my campaign website that details the foregoing information, including the unequivocal proof of the "truly unethical" violation. I am holding off publishing it in the event that doing so is unnecessary.

Doug Rehman, K4AC
Director Southeastern Division
doug@k4ac.com

In response to this complaint, the E&E Committee agreed to look into the matter and investigate your allegations regarding Gigaparts. However, that investigation was subject to the following cautionary response from Dale Williams on behalf of the E&E Committee:

Doug, I have received your complaint and the information you provided with respect to Southeastern Division Director candidate Greg Sarratt, W4OZK, and I have conferred with the other two members of the Elections and Ethics Committee, Rod Blocksom KØDAS and Kent Olson KAØLDG, about what you have provided. The Committee has decided that it will investigate the facts that you have raised in detail. However, we are doing so only in deference to a fellow member of the Board. A preliminary review of the complaint leads us to conclude that you have not presented enough facts to justify disqualification of the candidate and your complaint is untimely. We will not, because we can't, complete the investigation prior to tomorrow's deadline for finding candidates qualified to run for election. That is, as you yourself have noted recently, not a deadline that we can ignore. So as it stands now, Greg Sarratt will be found qualified to run for election.

Here is why we are taking this position:

1. The complaint is untimely in the extreme. All of the information that you have provided was known or knowable long before now. You provided this material after the deadline, last Monday, when the candidates had to be notified who is running in each Division. Tomorrow is the deadline for final eligibility determinations. Those two deadlines are in conflict but even ignoring the first, we cannot complete a fair investigation of your complaint in the time available.
2. Your first complaint against Greg Sarratt is that you “have heard rumors” that Sarratt has approached vendors at a convention and solicited campaign contributions from them. You do not identify the source of these “rumors” and who the vendors are other than Gigaparts. We will not be investigating rumors, nor vague accusations like this.
3. With respect to Gigaparts, your allegation is that Gigaparts hosted Sarratt’s web site. You allege that this is an in-kind “campaign contribution”. You don’t, however, prove that this hosting was a donation. It could have been something that Sarratt paid for and in any event you do not establish the value of the hosting, which could be and in all likelihood was nominal.
4. Finally, having checked with Tom Gallagher about this, we have found that Gigaparts is not an ARRL advertiser and has not been for almost ten years. We have no commercial connection with Gigaparts. Even if Gigaparts did host the web site for Sarratt free and even if that had more than nominal value, Gigaparts is not an ARRL vendor, supplier or advertiser and there is no clear violation of any ethical obligation that Sarratt had to either report it or decline the alleged contribution.
5. You have grossly misstated our correspondence of August 23 in your repeated characterizations of what constitutes “truly unethical” behavior by a candidate. The entire point of my e-mail to you in which I used that term was to note that Board Policy 2.1 created no precise policy that can be stated with respect to a candidate’s solicitation or receiving monetary or in kind contributions from what you referred to as “an amateur radio vendor”. The issues are fact-based and have to be resolved on a case-by-case basis. I did note that in my view, “using one’s position with the ARRL to solicit or accept a donation or services from an ARRL vendor, supplier or advertiser is truly unethical.” I still believe that. But you asked a generalized question and I told you that these analyses are resolved case-by-case. Even so, you do not allege and it does not appear true that Greg Sarratt used his position with the ARRL (he doesn’t have one) to solicit or attempt to solicit or accept a donation or services from an ARRL vendor, supplier or advertiser. Gigaparts is none of those things.

So in our view, your complaint is not substantive and it is too late to adjudicate on a timely basis relative to this election. Nevertheless, as I mentioned earlier, out of deference to a fellow Board member, we will inquire into the Gigaparts web-hosting. If we find information that justifies some action by the Committee, we will take action in due course. Thank you for bringing this to our attention.

One other thing, Doug: You claim that you are going to create a web site that includes these allegations. We would advise against doing that. If you do, please understand

that the E&E does not condone such an action and you will be exclusively responsible for the consequences of doing so, including any claim by Mr Sarratt that he has been harmed by it. Furthermore, asserting claims which prove false or frivolous could trigger a complaint about you.

For the ARRL Ethics and Elections Committee
Dale Williams WA8EFK
Chairman”

At this point, it is difficult to determine the purpose of your document request. You made a complaint against Sarratt that either did contain or should have contained all of the material that you needed to submit in order to make a prima facie case of an ethics violation against your opponent. That was submitted to the E&E Committee on or about August 24, almost a month ago. You now, without explanation, are asking that additional information be provided by Tom to the E&E that the E&E has not asked for and which bears no apparent relationship to the complaint you filed with E&E. To be candid it looks like a fishing expedition, and it seems to me that unless the E&E Committee asks for additional information in the course of their investigation of your Ethics Complaint #1, you either made your case on August 24 or you didn't. The E&E Committee informed you that the material you submitted on August 24 was late at that time and they had other concerns about the substance of your complaint, but as an indulgence to a fellow Board member, they agreed to investigate the complaint. How they do that is up to them, not you.

So before putting Tom in the middle of your effort to supplement your complaint with material that pertained to long earlier elections as well as the current one, with information that the E&E Committee has not asked for, my suggestion is that you ask the E&E Committee if they wish additional information in order to adjudicate the Ethics Complaint #1 that you put before them on August 24. If the Committee wishes additional information (which they can decide for themselves; I am copying them with this e-mail) they may unilaterally ask Tom for the information you identify. However, I am constrained to note that any complaint you have about your competitor that pertains to a prior election process is of highly questionable relevance and it is difficult to imagine why you couldn't have raised an ethics complaint relative to Mr. Sarratt based on that well before now, on a timely basis.

Finally, it may be that all or some of the information you ask for has been published by ARRL already. If so, it would be incumbent on you, not Tom, who is in the midst of the budgeting process at the moment, to assemble that information and provide it to the E&E yourself if you feel the need to do so.

73, Chris W3KD

Upon review of this letter from Imlay to Rehman and because the Committee members decided that no further information was called for in order to adjudicate the Ethics Complaint #1 filed by Mr. Rehman, it was voted to not request any further information about this pending complaint.

Additional Issue.

The final issue discussed by the Committee was the fact that, when Mr. Rehman filed his Ethics Complaint #2 pertaining to Mr. Sarratt's election flyer, he sent copies not only to the E&E Committee but also to two individuals outside the ARRL Board family. It was determined by the

Committee that this was an unfair election procedure; to send copies of an unadjudicated complaint properly addressed to the E&E Committee to third parties as though the complaint raised facts rather than unadjudicated allegations was improper. Inasmuch as the complaint was later determined by the Committee to be insubstantial if not frivolous, those third parties were left with a mistaken impression that there was some merit to the complaint. Furthermore, internal ARRL election processes are obviously not subject to public disclosure and Mr. Rehman's actions will invariably cause members and potential members to view ARRL negatively.

Based on all of the foregoing, the Committee, after careful deliberation unanimously determined that Mr. Rehman's repeated, intentional actions were materially unethical and that it was necessary to disqualify him as a candidate for re-election as Southeastern Division Director. At this point in the view of the Committee there is only one qualified candidate for election in that Division, Mr. Sarratt, and that it is unnecessary to circulate election ballots in that Division on October 1 when other ballots in contested elections are mailed.

For the Ethics and Elections Committee:

Dale Williams WA8EFK, Chairman
Rod Blocksome KØDAS
Kent Olson KAØLDG