

AOR 2006-3

January 20, 2006

Federal Election Commission  
Office of the General Council  
999 E. Street, NW  
Washington, D.C. 20463

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COMMISSION  
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COUNSEL

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WHIRLPOOL  
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Whirlpool Corporation Political Action Committee (WCPAC) is a separate segregated fund ("SSF") of Whirlpool Corporation. WCPAC is qualified as a multicandidate committee with a most recent amendment to its statement of organization on August 01, 2005. WCPAC requests clarification from the Federal Election Commission (FEC) on the acceptable use of a common username and password to be used by all members of the restricted class to access WCPAC information on a third-party vendor hosted website.

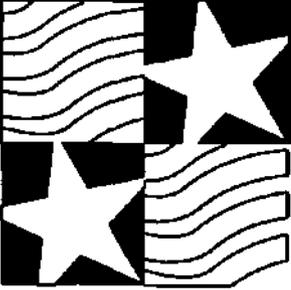
The Federal Election Campaign Act clearly allows a corporation to communicate at anytime with its restricted class. Unfortunately, the Act does not address the use of a website as a vehicle for communication. The FEC permitted the use of a "separate and unique password" to permit access to a PAC website by the restricted class in Advisory Opinion 2000-07. WCPAC requests the FEC's decision on the permissibility of the use of one common username and password for all employees in the restricted class to restrict access to the WCPAC website. Members of the WCPAC restricted class will receive the common username and password via email.

Currently, Whirlpool Corporation maintains an intranet Government Relations website on company servers. This site is only accessible to company employees using the Whirlpool computer network. The website provides departmental information, company legislative initiatives, and grassroots tools for use by Whirlpool employees. A third-party vendor hosts and maintains the company's grassroots tools and a selection of the grassroots tab directs Whirlpool employee traffic to its servers. WCPAC is proposing to create a separate WCPAC tab on the grass roots website to provide restricted access to a website with information on WCPAC activities. The WCPAC site will contain information about the activities of the WCPAC including, but not limited to, a list of WCPAC Board members, WCPAC goals and contribution criteria, and a payroll deduction authorization form.

It is a violation of Whirlpool Corporation's internal security requirements to allow a third-party vendor to host unique and personally identifiable information of Whirlpool Corporation employees on its servers. WCPAC believes that the use of a common username and password will adequately restrict access to the WCPAC site to the restricted class and meet internal

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Whirlpool Corporation security requirements. A Whirlpool employee selecting the WCPAC tab at the top of the grass roots site will be directed to a separate web page with the following authorization screen:

*Federal law prohibits the Whirlpool Corporation Political Action Committee (WCPAC) from soliciting donations from anyone other than stockholders, executive and administrative personnel and the families of such individuals. Contributions received from any other person will be returned to the donor. It is a violation of Whirlpool Corporation employee rules to enter this site unless you are a member of the restricted class. Employees desiring additional information on their eligibility to participate or about the activities of the WCPAC may contact WCPAC, 1200 G ST NW, Suite 821, Washington, DC 20005, Attention: Sean Mackay, 202.434.8992, [sean.mackay@whirlpool.com](mailto:sean.mackay@whirlpool.com)*

*Members of the WCPAC restricted class may enter the site by entering their username and password below.*

Once the server authenticates the employee-entered common username and password, an employee will have access to the WCPAC website.

The WCPAC requests an Advisory Opinion from the FEC addressing the question of whether the above-described approach is acceptable to the FEC. The WCPAC thanks the FEC for its time and effort in investigating this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean Mackay", written in a cursive style.

Sean Mackay  
WCPAC Treasurer