



FEDERAL ELECTION COMMISSION
Washington, DC 20463

September 1, 1978

AO 1978-58

Phillip B. Evans
Assistant Treasurer
The Pyramid Freedom Party
Route 1, Box 127
St. James, Missouri 65559

Dear Mr. Evans:

This is in response to your letter of July 15, 1978 in which you request an advisory opinion on behalf of the Pyramid Freedom Party ("the Party") concerning the Party's status under the Federal Election Campaign Act of 1971, as amended ("the Act").

Your letter states that the Party is, at this time, a one candidate party which intends to make expenditures on behalf of the Dr. Joseph Jeffers, a candidate for President. You ask for an opinion on the "possibility" of the Party being "established as a national party."

The Act defines the term "national committee" to mean "the organization which, by virtue of the bylaws of a political party, is responsible for the day-to-day operation of such political party at the national level, as determined by the Commission." 2 U.S.C. 431(k). The term "political party" is defined to mean an organization "which nominates a candidate for election to any Federal office, whose name appears on the election ballot as the candidate of such association, committee, or organization." 2 U.S.C. 431(m). See also Commission regulations at 11 CFR 100.16 and 100.17.

The Commission has previously addressed the status of a political party organization as a national committee. In Advisory Opinion 1975-129 (copy enclosed) the Commission indicated that the National Committee of the Libertarian Party ("LNC") was a political committee operating at the national level since the LNC had "nominated Presidential and Vice Presidential candidates, and in 1976 will run at least 100 candidates for the Senate and the House of Representatives in over 30 states." The LNC also stated that it engaged in activities outside of those which directly influenced specific elections by supporting voter registration and get-out-the-vote drives, providing speakers, organizing volunteer workers, and publicizing issues of importance to the party and its adherents throughout the United States. Compare Advisory Opinion 1976-95, copy enclosed.

The Commission concludes that the Party has not sufficiently demonstrated that its activity on a national level is such that it may be regarded as a national committee under the Act at this time. Thus, the Party will be regarded as a single candidate committee for purposes of reporting and contribution limits under the Act.

This response constitutes an advisory opinion concerning the application of a general rule of law stated in the Act or prescribed as a Commission regulation to the specific factual situation set forth in your request. See 2 U.S.C. 437f.

Sincerely yours,

(signed)

Joan D. Aikens
Chairman for the
Federal Election Commission

Enclosures