



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

FEBRUARY 12, 2004

VIA FACSIMILE & CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John A. Denniston
Kleiner, Perkins, Caufield, & Byers
2750 Sand Hill Road
Menlo Park, California 94025

RE: MUR 5373

Dear Mr. Denniston:

This letter responds to your correspondence of October 28, 2003. This Office would like to express its thanks for all the additional information you have provided in response to the Commission's reason to believe finding regarding this case.

A "reason to believe" finding by the Commission is a relatively low threshold that signifies that there is reason to investigate whether a violation occurred. Such a finding does not reflect a substantive determination by the Commission that a violation in fact occurred. The Commission's July 15, 2003 letter to you finding reason to believe, yet taking no further action, reflected the Commission's view that there was evidence sufficient to sustain a decision to investigate. Because there appeared to be sufficient evidence at the time to investigate, rescission of the reason to believe finding would not be appropriate. However, as a result of your inquiry, this Office is now fully aware of your contention that Kleiner Perkins was in fact not involved in providing charter airplane services to Bush-Cheney, Inc. during the 2000 presidential campaign.

Please be advised that all of the materials you have submitted to clarify the situation will be placed on the public record as part of the closed enforcement matter. If you have any questions, you may contact me at (202) 694-1356.

Sincerely,

A handwritten signature in dark ink, appearing to read "Albert R. Veldhuyzen", followed by a horizontal line.

Albert R. Veldhuyzen
Attorney



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WASHINGTON, D C 20463

THIS IS THE END OF MUR # 5373

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