

United States Senate

WASHINGTON, DC 20510

October 25, 2024

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530

Dear Attorney General Garland,

As you know, Elon Musk has been providing cash rewards to voters in seven states if they sign a petition related to his political action committee—America PAC.¹ Individuals must be a registered voter, or register to vote, to qualify for his financial giveaways, which include payments of \$47, \$100, and a \$1 million daily lottery.² Campaign finance law states it is illegal if anyone “pays or offers to pay...either for **registration to vote** or for voting.”³

Musk’s reward scheme appears to violate federal campaign finance law. It is explicitly designed to induce people to register to vote.⁴ Moreover, the Department of Justice’s own Election Crimes Manual states that a violation of federal campaign finance laws can occur when “cash” or “lottery chances” are “intended to induce or reward the voter for engaging in one or more acts necessary to cast a ballot.”⁵

There is no place for vote buying in our democracy. As the Department has recognized, voting should never “degenerate into a spending contest, with the victor being the candidate who can pay the most voters.”⁶ According to public reports, the Department warned America PAC this week that the petition lottery may be in violation of federal law.⁷ If so, permitting this scheme to proceed without consequences makes a mockery of democracy and the law. We urge you to investigate whether Elon Musk’s cash prizes are prohibited payments for voter registration and take appropriate enforcement action, including prosecution, if his actions prove to be illegal.

Sincerely,



Peter Welch
United States Senator



Richard Blumenthal
United States Senator

¹ Evan Perez, Hannah Rabinowitz and Marshall Cohen, *Justice Department warns Elon Musk that his \$1 million giveaway to registered voters may be illegal*, CNN Politics (Oct. 23, 2024) (online at <https://www.cnn.com/2024/10/23/politics/elon-musk-justice-department-letter/index.html>).

² *Id.*

³ 52 U.S.C. § 10307(c) (emphasis added).

⁴ See, e.g., Rick Hasen, *Elon Musk Veers Into Clearly Illegal Vote Buying, Offering \$1 Million Per Day Lottery Prize Only to Registered Voters*”, Election Law Blog (Oct. 19, 2024) (online at <https://electionlawblog.org/?p=146397>).

⁵ Department of Justice, Election Crimes Manual, 44 (online at <https://www.justice.gov/criminal/file/1029066/dl>).

⁶ *Id.*

⁷ Evan Perez, Hannah Rabinowitz and Marshall Cohen, *Justice Department warns Elon Musk that his \$1 million giveaway to registered voters may be illegal*, CNN Politics (Oct. 23, 2024) (online at <https://www.cnn.com/2024/10/23/politics/elon-musk-justice-department-letter/index.html>).