The Tech Oversight Project.

MEMORANDUM

BIG TECH LOST THE FIRST AI ELECTION – NOW DEMOCRATS MUST SEIZE THEIR MANDATE

TO	Interested Parties
FROM	Sacha Haworth, Founder and CEO, The Tech Oversight Project
DATE	November 11, 2026

2026 was the first AI and tech accountability election, hinging on voter concerns about affordability, corruption, and jobs. Big Tech lost not only key races but also the plot, as voters handed Democrats a tech accountability mandate they must now seize in order to curb the industry's abuses and put its talking points to bed once and for all.

Back in 2018, the first Trump midterm, House Democrats gained 41 seats by hammering the message that Republicans gave sweetheart tax deals to a corrupt industry hurting regular people. That year's villain was the health care industry - during the second and final Trump midterm, this year's was Big Tech.

Winning candidates put AI, tech, and data center policies in front of voters in nearly 40% of House, Senate, and governor's races,[1] and Democrats used tech accountability messaging at more than four times the rate of Republicans.[2]

~40%
of House, Senate and governor's races where winning candidates put AI, tech and data centers in front of voters

4×
the rate at which Democrats used tech accountability messaging compared to Republicans

+32
Democratic margin among voters who called AI and data centers crucial or major to their vote

1 "AI becomes a major election issue for the first time, data shows," The Washington Post, Aug. 14, 2026.
2 "The AI Election: How Democrats Are Campaigning on Tech Accountability to Win Control of Congress," The Tech Oversight Project, Nov. 3, 2026.

Voters who called AI and data centers crucial or major to their vote backed Democrats by 32 points.[3] With dozens of races still being counted, Democrats have already flipped more than two dozen Republican-held House seats and grown their Senate caucus from 47 to at least 54.[4]

This memo lays out the evidence for the enduring nature of the tech accountability agenda: what voters said at the polls, and how the movement played out from local fights to the top of the ticket. It sets out a first 100 days agenda that starts with what the new majority controls on its own and then forces Republicans to choose. It calls out the industry's next pivot, an attempt to trade its MAGA hat for a donkey pin.

The worst thing Democrats could do now is return to business as usual with Big Tech. Doing so would betray the promises they campaigned on, fail to meet the moment and breed resentment that will cost the party in 2028. The play is to use the gavel, get the CEOs under oath and refuse to trade it all back for a Palo Alto fundraiser.

EXIT POLLS SHOWED TECH CONCERNS DROVE VOTER BEHAVIOR

The voters who cared most about Big Tech broke hardest for Democrats.

- **NBC News/SSRS exit poll** (Nov. 3, 2026)[5]
  - 90% of voters called government corruption a crucial or major factor in their vote for Congress, and 89% called cost of living a crucial or major factor in their vote – both issues that are inextricable from tech accountability.
  - 56% of voters called AI and data centers crucial or major factors in their vote, and they backed Democrats 65% to 33%.
  - 23% of voters called AI and data centers crucial to their vote for Congress. They backed Democrats 69% to 29%.
- **Data for Progress poll** (Oct. 31 to Nov. 3, 2026)[6]
  - 55% of voters had heard "a lot" about AI and 52% about data centers being built in the US – trailing only the cost of living (66%) and the war with Iran (57%).

Big Tech's abuses are core drivers of voters' most pressing concerns, because they are central to affordability, as data centers drive up power bills and Big Tech uses its market dominance to charge us more than our neighbors for the same thing.[7]

3 NBC News, 2026 exit polls, as updated Nov. 4, 10:52 PM.

4 "Democrats win control of House and Senate: Key US midterms takeaways," Al Jazeera, Nov. 4, 2026.

5 NBC News, 2026 exit polls, as updated Nov. 4, 10:52 PM.

6 Data for Progress, Survey of 1,188 U.S. likely voters, Oct. 31 to Nov. 3, 2026.

7 "Personalized price tags ask what consumers will pay," Marketplace, Sept. 29, 2026.

They're also a jobs issue, as CEOs blithely tell the public that chatbots and AI agents fundamentally threaten our economy and the dignity of work. They're a rural issue and an environmental one, as these companies gobble up farmland for data centers, drain aquifers to cool them and fire up new fossil fuel plants.

As the corrupt bargains these CEOs made with Trump become even more exposed with real Congressional oversight, that popular discontent will only continue to grow.

DEMOCRATS RAN ON AI AND TECH EVERYWHERE – AND WON

Campaigns followed where voters led. A Tech Oversight Project analysis of paid media in more than 130 top-tier House, Senate and gubernatorial races found:[8]

- 74% of DCCC Red-to-Blue races and two-thirds of DCCC Districts in Play ran tech accountability messaging in paid TV and digital.
- Nearly half of DCCC Frontline races ran tech accountability messaging.
- 86% of Senate toss-up races and 100% of gubernatorial toss-up races also ran with tech accountability, as did 89% of governor's races rated Lean D or Lean R.

Campaigns drew a direct line from Big Tech to the cost of living, pinned a broken DC on Big Tech influence, hit Republicans for tax breaks for data centers and ran on holding Big Tech accountable for harming kids. Emerging lines of attack on pollution, surveillance pricing, AI in health care, and the loss of farmland will all grow in salience as 2028 issues.

Winning Democratic candidates in key races across the country made tech accountability central to their campaigns, including this Senator and these Senators-elect:

- **Ohio:** Sherrod Brown ran millions of dollars in ads calling Jon Husted "the face of data centers in Ohio" and won by five points – a comeback defeat to the big-money intimidation strategy that thought making an example of him in 2024 would keep other Democrats toeing the corporate line.[9] An August NRSC memo had conceded that "more than any other thing in this race, data centers are the anchor hanging around Husted's neck."[10]
- **Texas:** James Talarico, who called for ending "sweetheart tax deals" for Big Tech, beat Ken Paxton, turning a Texas Senate seat blue for the first time since 1988.[11]

8 "The AI Election: How Democrats Are Campaigning on Tech Accountability to Win Control of Congress," The Tech Oversight Project, Nov. 3, 2026.

9 Andrew R. Chow and Harry Booth, "How AI Backlash Shaped the 2026 Midterms," TIME, Nov. 4, 2026.

10 NRSC memo on data centers, Aug. 2026

11 Andrew R. Chow and Harry Booth, "How AI Backlash Shaped the 2026 Midterms," TIME, Nov. 4, 2026.

Gina Hinojosa beat sitting Governor Greg Abbott on a promise to pause data center development across one of the industry's favorite states.[12] "We are facing an existential crisis in this country because tech giants are having their way with us," she said. "There is one fight."[13]

- **South Carolina:** Annie Andrews nicknamed her opponent "Data Center Darline," called for a two-year moratorium on new projects and beat Darline Graham, whom a pro-data center super PAC offshoot of Leading the Future had spent heavily to support.[14]
- **Iowa:** Democratic Senate candidate Josh Turek, who ran on Big Tech's threat to the rural economy and farmland, beat Rep. Ashley Hinson and flipped Iowa's Senate seat.[15]
- **Georgia:** Sen. Jon Ossoff, who ran on his online safety record and his challenges to Big Tech, said in his victory speech: "The titans of Silicon Valley dig bunkers for themselves and warn that the artificial intelligence they're creating risks human extinction."[16]
- **Michigan:** Abdul El-Sayed made AI the most important issue going into Election Day[17] and beat Mike Rogers for the Senate.[18] In MI-07, Democratic candidate Will Lawrence defeated incumbent Republican Rep. Tom Barrett after making Big Tech accountability his core message.[19]

"We are facing an existential crisis in this country because tech giants are having their way with us. There is one fight."

GINA HINOJOSA, GOVERNOR-ELECT OF TEXAS

12 Jael Holzman, "If This Was a Data Center Election, Data Centers Lost," Heatmap, Nov. 4, 2026.

13 Jason Koebler, "'There Is One Fight': American Voters Reject Tech Oligarchy," 404 Media, Nov. 4, 2026.

14 Andrew R. Chow and Harry Booth, "How AI Backlash Shaped the 2026 Midterms," TIME, Nov. 4, 2026; Jael Holzman, "If This Was a Data Center Election, Data Centers Lost," Heatmap, Nov. 4, 2026.

15 IA-Sen: Josh Turek: Anti-Hinson, Data Centers, Oct. 29, 2026.

16 "Jon Ossoff wins Georgia 2026 Senate election, keeping seat for Democrats," CBS News, Nov. 4, 2026; "Sen. Ossoff's Victory Speech On Election Night," Nov. 4, 2026.

17 Maria Curi, post on X, Nov. 1, 2026.

18 "Abdul El-Sayed wins Michigan 2026 Senate election, defeating Mike Rogers," CBS News, Nov. 4, 2026.

19 "Democrat William Lawrence declares victory over Tom Barrett, flipping Mid-Michigan seat," WOOD TV, Nov. 4, 2026; Will Lawrence campaign launch ad.

FIRST 100 DAYS AGENDA

Democratic Party leaders now have the responsibility of turning 2026 campaigns' energy into real accomplishments. The strategy for the next two years has three parts: use the power of the gavel to expose Big Tech; force Republicans to choose on the record between their voters and their donors; and build a political movement and agenda big enough to carry into a 2028 where Democrats gain the White House and start delivering big on Day One.

What the new majority can do on its own, starting now:

- **Deliver powerful oversight.** Incoming chairs can schedule hearings in the first weeks of the new Congress, bring Big Tech's CEOs before Congress under oath – in public, on camera, during primetime – and make them answer for all they've fought to keep hidden: what they knew about what their social media algorithms and predatory AI chatbots do to our kids, what they promised local officials to land data center deals, what they expected or were promised in return for the checks they wrote to Trump, and what they know about the hidden dangers of the AI they're building. Incoming Congressional Progressive Caucus Chair Greg Casar has already called for AI company CEOs to testify under oath.[20] Hearings should put the parents and community members who built this movement at the witness table, alongside the CEOs.
- **Put AI safety champions in charge.** Committee chairs are chosen before the new Congress is sworn in, and the chairs who write AI law will decide whether the voters' mandate translates into laws that hold Big Tech accountable. Candidates for chair and subcommittee chair in key committees should be measured against three standards: support for mandatory, binding AI regulation; opposition to state AI law preemption; and independence from anti-regulatory super PACs like Leading the Future.

FIRST 100 DAYS

THREE MOVES FOR THE NEW MAJORITY

USE THE GAVEL

What the majority controls on its own, starting now

- Oversight hearings with Big Tech CEOs under oath
- AI safety champions as committee chairs
- Refuse AI super PAC money
- Kill state AI law preemption for good

FORCE REPUBLICANS TO CHOOSE

Bipartisan bills that put every vote on the record

- A comprehensive social media and AI safety bill
- Make Big Tech pay for its data centers
- No bailouts for AI companies

BUILD FOR 2028

Groundwork for a Democratic White House

- A New Deal for a new economy
- Leadership on AI safety and governance
- Competition and innovation that break Big Tech's dominance

20 Sean Moran, "Top House Progressive Wants To Make AI Scrutiny A Top Priority In Democratic House," Daily Caller, Nov. 4, 2026.

- **Commit to prioritizing the public interest over Big Tech money.** New-member orientation, which starts this week, is where the lobbying starts. Incoming members can pledge to refuse AI super PAC money and oppose preemption – before the industry gets to them. Voters care about this: three-quarters of likely voters say they would be less likely to vote for a candidate who accepted a donation from an AI super PAC.[21] Big Tech spent two years bending the knee to Trump. Now they'll try to shape-shift into Democrats – an effort that has already started: Meta is reportedly building a bipartisan team to court the new majority,[22] OpenAI is planning a post-midterm policy and PR offensive that includes rebranding data centers as "AI compute campuses,"[23] and Chamber of Progress – a self-described Democratic tech group whose funders include OpenAI, Apple, Amazon, Google and Andreessen Horowitz – is pressing Democrats to point their new oversight power away from Big Tech. Its CEO, former top Google lobbyist Adam Kovacevich, said he hopes Democrats "aim oversight at the Trump administration and not business." This ask is a tell – what the industry wants from Democrats is to be left alone, not to partner on policy.[24]
- **Kill preemption for good.** A ban on state AI laws is now the industry's best federal hope. After the midterm results, it's more of a nonstarter than ever – and this is an idea so unpopular the Senate voted it down 99 to 1 last year.[25] Holding strong against preemption is a litmus test for the new majority. States will keep innovating, led by governors elected on a mandate to tackle AI corruption.[26]

Even with both chambers, Democrats need substantial Republican support to overcome a veto.[27] The legislative efforts listed below can earn bipartisan support and deliver real change even with Trump in the Oval Office – and every Republican who votes no will have to explain why to voters who just punished their alliance with Big Tech:

- **A comprehensive social media and AI safety bill.** This is the long-overdue step Congress needs to take to tackle Big Tech's exploitative design of social media and AI chatbots in one fell swoop, with safety-by-design and privacy-by-default standards for our kids modeled on the Kids Codes that have gained support across the country. Nebraska's Republican attorney general recently used his state's code to sue OpenAI, saying the company "markets its AI as safe for minors, yet its products have deep flaws that have led to suicide, violence, and harm."[28] Voluntary commitments and laws that let AI companies write their own safety standards have failed.

21 Andrew R. Chow and Harry Booth, "How AI Backlash Shaped the 2026 Midterms," TIME, Nov. 4, 2026.

22 Axios, Oct. 31, 2026, on Meta's bipartisan influence team.

23 Axios, Nov. 1, 2026, on OpenAI's post-midterm policy and PR push.

24 Freddy Brewster, "Big Tech's Democratic Front Group: Investigate Trump, Not Big Tech," The Lever, Oct. 30, 2026.

25 "Senate Strikes AI Moratorium from Budget Reconciliation Bill in Overwhelming 99-1 Vote," Senate Commerce Committee, July 2025.

26 Office of Gov. Kathy Hochul, announcement of the first statewide moratorium on new hyperscale data centers, July 2026.

27 Andrew R. Chow and Harry Booth, "How AI Backlash Shaped the 2026 Midterms," TIME, Nov. 4, 2026.

28 "Attorney General Hilgers Announces Lawsuit against OpenAI for Deceiving Nebraskans about the Safety of ChatGPT," Nebraska Attorney General, Oct. 14, 2026.

Republican voters agree: in Iowa and Ohio, Republicans chose AI safety over fewer regulations 50% to 39% and 56% to 38%.[29]

- **Make Big Tech Pay.** Community members who fought data centers at the local level need Washington to back them up. House Democrats have already started keeping this promise. The Reverse Big Ugly Tax Breaks for Data Centers Act (H.R. 10448), led by Reps. Don Davis and Kristen McDonald Rivet, backed by 32 cosponsors, would strip data centers of the bonus depreciation and Opportunity Zone breaks Republicans handed them in the Big Ugly Bill.[30] Rep. Eugene Vindman's Make Data Centers Pay Act (H.R. 10809) would require large data centers to cover the full cost of the electricity, generation and transmission they need, so families stop subsidizing them through higher utility bills.[31] Rep. Greg Landsman's No Harm Data Centers Act would also ban nondisclosure agreements between data center developers and elected officials.[32] These bills can earn bipartisan support: the House passed a narrower ratepayer protection bill 417 to 3 in September.[33] The NRSC conceded in writing that data centers were a liability for its candidates,[34] and by the end of the campaign Republicans like Gov. Greg Abbott were scrambling to copy the Democratic position – and still lost.[35] Writing into law that Big Tech, not families, pays for its data centers is the clearest bipartisan win on the table that's wrapped up and ready for the 120th Congress to deliver.[36]
- **No bailouts.** OpenAI alone has committed to roughly $1.4 trillion in spending over eight years, and its chief financial officer floated a federal "backstop" for AI financing last year before the company walked it back.[37] Voters lived through 2008 – they've seen how it ends when an industry keeps its profits private and hands its losses to the public: with them holding the bag. A no-bailout law costs Congress nothing, and it puts Republicans on the record.[38] It tells families already paying higher power bills for data centers that they won't be asked to cover Big Tech's bets too. And it's a popular, populist line Democrats can hold headed into 2028.

29 Semafor, Oct. 29, 2026, reporting an Inquire poll of likely voters in Iowa and Ohio, Oct. 19 to 22, 2026.

30 "Reps. Davis, McDonald Rivet Lead New Push to Stop Tax Giveaways for Data Centers," Office of Rep. Don Davis, Sept. 17, 2026.

31 "Rep. Eugene Vindman proposes keeping data center power costs off household electric bills," 29News, Oct. 16, 2026.

32 "Landsman Leads New Bill Requiring Big Tech to Pay for Data Centers and No NDAs," Office of Rep. Greg Landsman.

33 "House passes bill to shield Americans from data center energy costs," CBS News, Sept. 16, 2026.

34 NRSC memo on data centers, Aug. 2026 (document published by Politico).

35 Jael Holzman, "If This Was a Data Center Election, Data Centers Lost," Heatmap, Nov. 4, 2026.

36 Make Big Tech Pay, The Tech Oversight Project.

37 "Warren Presses OpenAI CEO on Spending Commitments and Bailout Requests After CFO Suggests Government Backstop," Office of Sen. Elizabeth Warren, Jan. 29, 2026; "OpenAI walks back federal backstop talk after White House rebuke," Implicator, Nov. 7, 2025.

38 "OpenAI walks back federal backstop talk after White House rebuke," Implicator, Nov. 7, 2025.

The movement that powered this election will be bigger in 2028. The time is now to lay the groundwork for bigger economic populist change when Democrats win back the White House in addition to Congress:

- **A New Deal for a new economy.** Affordability brought voters back to Democrats. Keeping them means changing the playbook, not just the slogans. The companies profiting from AI can pay their share – money to rebuild what years of GOP neglect and the wrecking ball of Elon Musk's DOGE have decimated. The workers whose jobs AI is upending can and should share in the wealth it creates, with new public works projects on the scale of the New Deal. And the industry that strained the grid should help pay for the clean energy future.
- **Leadership on AI.** The next Democratic nominee will need to promise to lead the world on AI, with a governance agenda that includes common-sense safety measures: slowing down the frontier, independent evaluators, pre-deployment testing, safety standards and an enforcement mechanism. Congress can work on these issues now to ensure AI's future becomes democratic with a small "d," building a technology sector that answers to citizens, not just shareholders.
- **Competition and innovation.** Big Tech's market dominance is fundamentally a cost-of-living problem. Breaking it up is how Democrats turn an affordability message into an affordability record that delivers. Oversight and investigation are key to this goal.

A MOVEMENT BUILT TO LAST

The 2026 tech accountability mandate has been won by a broad alliance of parents who lost children to Big Tech's products, community members who packed county meetings and recalled mayors to stop data centers, candidates who took on an industry that spent heavily to stop them, workers demanding fairness and dignity, and young people calling out for change. That alliance won't be going anywhere. As AI reshapes more jobs, more neighborhoods, and more kids' lives, this movement's ranks will grow, and the candidates who listen to and stand alongside them in 2028 will have a powerful, unignorable force at their backs.

After the 2024 election, we warned that Democrats needed to rethink their alliance with Big Tech, because "Big Tech is not untouchable."[39] Voters have now endorsed that position. Now Democrats have to enforce it – by making Big Tech answer to the public and ensuring AI and the American tech industry serve all Americans, not just billionaire CEOs. That's the path to enduring power, real change, and a new politics that puts people first and unlocks the door to shared prosperity.

39 Sacha Haworth, Salon, Nov. 25, 2024, on tech CEOs selling out Democrats to curry favor with Trump.