



# USER ERROR: DEMOCRACY

BY KAIROS ACTION AND STATE INNOVATION EXCHANGE (SIX)



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## DEFINITIONS USED IN THIS DOCUMENT

**Big Tech:** Umbrella term for the companies that make tech — hardware and software — and have an outsized impact on technology development, the internet, and the economy as a whole. Big Tech often refers to Meta, Microsoft, Google, Apple, and Amazon.

**AI:** Artificial Intelligence (AI) is technology that allows computer systems to mimic human capabilities and have problem-solving capability. AI can include systems like image generators, such as Google's Gemini, and large language models, such as ChatGPT.

## BACKGROUND

From having our freedom to vote and our judicial systems and the free press undermined, to having to deal with disinformation, surveillance, and money in our politics, we're fighting for a functioning democracy that will serve the majority of people in the United States on particularly difficult terrain.

And unlike the physical world, the virtual world of the internet has no borders and no government. It is dominated by profit-driven private companies led by CEOs who have made it clear that they value their pocketbooks over people's safety and run their business on the commodification of our personal information. They have unfettered control and set the stage and terms for democratic discourse and movement building; they are determined to monopolize their control over our democracy in order to guarantee their control of our economy.

It plays out like this:

### **Extremism & disinformation are features, not bugs:**

Disinformation is designed to cultivate distrust, confusion, and apathy toward our democratic processes and each other. Disinformation is salacious, and sensationalism drives engagement, even if it's people trying to debunk the bad information. More engagement means more profits for tech companies, so Big Tech does nothing to curb it and instead fosters it to fuel profits.

### **Tech CEOs have a heavy hand in our policy spaces and drive innovation at all costs:**

Absent regulation, tech companies are setting the rules for acceptable uses for their products, but these rules often fall short, because tech companies have no motivation to moderate their own products. For example, a lack of moderation and regulation of technologies like AI generators is leading to new problems for voters, including fake or manipulated videos of presidential candidates as we lead up to the [2024 elections](#).

### **Big Tech money in politics:**

To control our economy, tech companies know they need concentrated control of our democracy. That's why tech companies are spending billions of dollars in politics to rig laws and regulations in their favor, from lobbying power to model legislation to direct money infusion.

## POLICY EXAMPLES

States are leading and can continue to lead in pro-democracy fights when it comes to Big Tech.

Recent legislation that regulates the use of deceptive AI-generated content made to influence an election has been enacted in states like Alabama ([2024 AL HB 172](#)), Arizona ([2024 AZ SB 1359](#)), Colorado ([2024 CO HB 1147](#)), Hawaii ([2024 HI SB 2687](#)), Michigan ([2023 MI HB 5144](#)), Mississippi ([2024 MS SB 2577](#)), New Mexico ([2024 NM HB 182](#)), and New York ([2024 NY SB 8308 Part MM](#) & [2024 NY SB 9678](#)). Some of these new laws allow for AI-generated content in political ads if it includes a disclosure statement. For example, the Colorado legislation ([2024 CO HB 1147](#)) requires the statement: “This (image/audio/video/multimedia) has been edited and depicts speech or conduct that falsely appears to be authentic or truthful.”

Corporate monopolies rely on corporate control of our democracy in order to rig laws and regulations in ways that allow them to unfairly dominate markets. At the federal level, a [2024 report](#) revealed that Senate and House Appropriations leaders and their staff saw more campaign contributions, stock gains, and lobbying jobs from giant tech corporations like

Google, Amazon, Facebook, and Apple — while funding for the Justice Department’s Antitrust Division was cut. But states are working to update their antitrust laws to advance economic freedom and safeguard our democracy. New York introduced an [update to its antitrust law \(2021 NY S933C\)](#) aimed at reining in the “many abusive tactics against small and medium size businesses and workers that are difficult to challenge under current antitrust law and precedent.”

In California, Assembly Democrats [introduced bills](#) banning “materially deceptive” AI in political ads and one requiring that social media platforms label AI-created political advertisements.

And, because the conditions of our democracy and technology are complex but critical to address, we need diverse voices to understand the path forward. States could create task forces and commissions to address tech justice and democracy, with representatives from community groups, labor, academia, and healthcare, and racial justice advocacy groups to help identify risks to democracy, strategies to address them, and principles for tech justice and a pro-democracy internet.

## POLICY RECOMMENDATIONS

Big Tech companies make choices and deploy tactics that facilitate anti-democratic behavior online, with real offline consequences. Policy solutions could include:

- At minimum, requiring political content created with AI to be clearly labeled and disclosed to audiences to curb AI disinformation.
- Ensuring that state-specific searches for election information return accurate, verified results.
- Requiring tech companies to communicate with residents of the state to report annually about disinformation, violence, and hate speech on their platforms and the policies they have to address those things.
- Protecting state and local election officials as well as election workers from harassment, including by requiring state boards of elections to offer digital security training and real-time support for targets of harassment and doxxing.
- Establishing standards for government purchase and use of technology (especially data-driven and AI-driven products) that prioritizes resident needs over vendor sales, assesses impact prior to any implementation and then regularly during its use, includes strong data privacy, access, and ownership protections, and ensures access to justice and continual oversight with enforcement or discontinuation if standards are violated.
- Protecting whistleblowers in the private and public sector from employer retaliation, including protections in state statute as well as funding agency enforcement.

## ADDITIONAL RESOURCES

[User Error: Democracy](#) (Kairos): When we talk about Big Tech's influence on democracy, we are not just talking about Election Day. What happens on the internet absolutely can influence and has influenced the outcomes of elections all over the world, but elections are just one piece of democracy that Big Tech executives are working to dominate in order to further enrich themselves and their shareholders. This report digs into Big Tech's impact on democracy and what a strategy for taking on pro-democracy fights online would look like.

[Tools for Taking on Big Tech's Economic Power](#) (American Economic Liberties Project): Big Tech corporations use a variety of abusive and anti-competitive tactics to achieve their dominance, posing a direct threat to reproductive freedom. Our partners at the American Economic Liberties Project have released [a toolkit](#) for state legislators to tackle many of these challenges with solutions already proposed in states across the country. No single policy solution will address all challenges, and policy solutions must include those communities most impacted by criminalization in their design, passage, and implementation.

[Privacy First: A Better Way to Address Online Harms](#) (Electronic Frontier Foundation): The truth is that many of the ills of today's internet have a single thing in common: they are built on a system of corporate surveillance. Multiple companies, large and small, collect data about where we go, what we do, what we read, who we communicate with, and so on. They use this data in multiple ways and, if it suits their business model, will sell it to anyone who wants it — including law enforcement. Addressing this shared reality will better allow us to promote human rights and civil liberties, while simultaneously holding space for free expression, creativity, and innovation, than many of the issue-specific bills we've seen over the past decade. In other words, whatever online harms we want to alleviate, we can do it better, with a broader impact, if we look at privacy first.

[Working to Sustain Quality Journalism](#) (News/Media Alliance): The News/Media Alliance diligently advocates on the pressing issues affecting today's news and magazine publishers, including monetization by tech platforms. As the media landscape becomes increasingly digital, it is critical that publishers find ways to monetize digital content and be fairly compensated for the use of their digital content, including in search engines and for advertising sold against that content. The Alliance strongly supports legislation that would allow news publishers to collectively negotiate with platforms for this purpose.