

Testimony before the Select Committee on the Modernization of Congress
United States House of Representatives

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“Congress and the Frank: Bringing Congressional Mailing Standards into the 21st Century”
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Chairman Kilmer, Vice-Chairman Graves, and Members of the Select Committee: thank you for the opportunity to testify before the committee. My name is Joshua A. Tucker, and I am a Professor of Politics at New York University, the Director of NYU’s Jordan Center for the Advanced Study of Russia, and a Co-Director of the NYU Center for Social Media and Politics (csmapnyu.org). For the past seven years, I have co-directed a research lab working at the intersection of social media and politics: we use social media data to study politics; examine the impact of social media on politics; and produce open source software to help accomplish both of these goals. My research in this area has included studies on: the effects of network diversity on tolerance, partisan echo chambers, online hate speech, the effects of exposure to social media on political knowledge, online networks and protest, disinformation and fake news, how authoritarian regimes respond to online opposition, and Russian bots and trolls. I am also a co-author and editor of the award-winning non-partisan politics and policy blog *The Monkey Cage* at *The Washington Post*.

In my testimony today, I hope to make the following four points, all of which I expand upon in the remainder of my remarks:

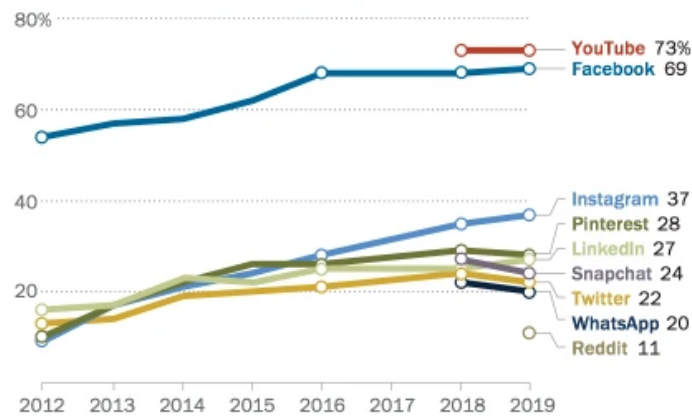
- Social media are *viable platforms* for reaching large portions of the US population due to their increasingly widespread use by large segments of the US adult population.
- There is, however, a great deal of *variation* in how social media tools can be used to communicate with the public both due to *platform affordances* and the *preferences of individual Members of Congress*.
- There are crucial distinctions between communicating with constituents through the US Postal Service and social media platforms due to the fact that the latter are *large, multi-national, for-profit corporations* that fundamentally rely on ad revenue for their business models.
 - Members consequently have much less *control* over how their messages are delivered and to whom, as well as much less ability to *monitor* in retrospect how well these processes are working.
- Ongoing efforts to make social media data available for outside research and analysis, therefore, should provide value to Members of Congress seeking to use these platforms to communicate with constituents, as *access to social media data* will be necessary to assess the functioning and impact of Congressional communication efforts.

Social Media Usage is Now Widespread Among US Adults

Despite all of the recent controversies around various social media platforms, there appears to have been no appreciable drop in social media usage among US adults. According to the *Pew Research Center* – which has emerged as the standard-bearer for understanding trends in social media usage due to its annual social media usage surveys – as of early 2019, 73% of US adults reported using YouTube and 69% reported using Facebook, numbers that were practically unchanged from the previous year. Smaller numbers report using Instagram (37%), LinkedIn (27%), Snapchat (24%), Twitter (22%) and What’s App (20%); with the exception of Instagram, the use of which has steadily been increasing, all of these platforms have remained at approximately the same levels for the past five years, as the following figure shows:¹

Facebook, YouTube continue to be the most widely used online platforms among U.S. adults

% of U.S. adults who say they ever use the following online platforms or messaging apps online or on their cellphone



Note: Pre-2018 telephone poll data is not available for YouTube, Snapchat and WhatsApp. Comparable trend data is not available for Reddit.

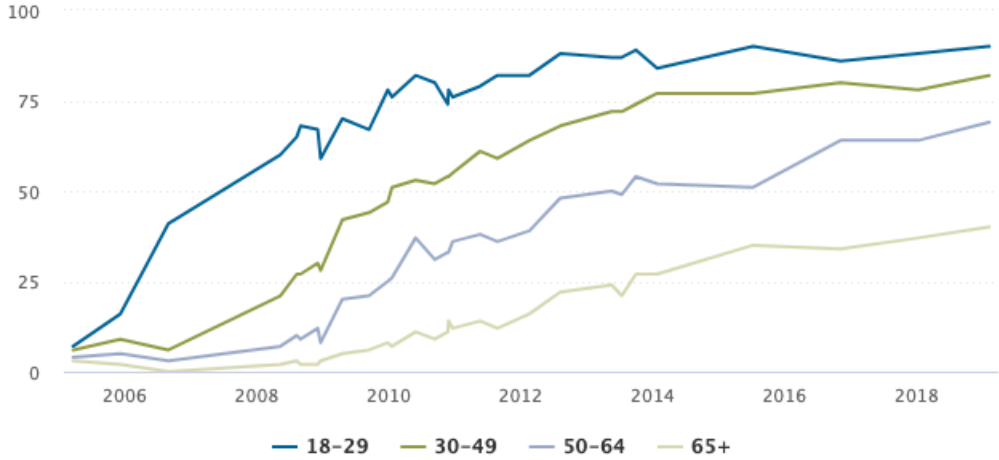
Source: Survey conducted Jan. 8-Feb. 7, 2019.

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Thus, the use of social media platforms as a means to engage the public is a perfectly viable form of communication outreach and, in many ways, an attractive alternative to direct mail. It is of course much less expensive, can be used much more frequently, has an interactive component to it that direct mail lacks (although more on his below), can reach much wider audiences than direct mail, and can be used to target citizens whose mailing address may change frequently. This final point, however, draws attention to the fact that social media usage is not, however, equal across different demographic categories. Age, in particular, results in different usage patterns, with the proportion of people using at least one social media site decreasing in older cohorts:

¹ Source: <https://www.pewresearch.org/fact-tank/2019/04/10/share-of-u-s-adults-using-social-media-including-facebook-is-mostly-unchanged-since-2018/>

% of U.S. adults who use at least one social media site, by age



Source: Surveys conducted 2005-2019.

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Similar patterns can be found across levels of education, with those with a high school education or less being less likely to report using social media than those with higher levels of education; smaller differences are found by gender (women slightly more likely to use), income (usage rates increasing slightly as income goes up) and community (slightly less use in rural communities), with almost no difference by race.²

Variation in Usage of Social Media

While it is easy to speak of “social media usage by Members of Congress”, it is crucial to understand that this short phrase masks a great deal of variation on both accounts.

First, *the affordances of social media platforms vary significantly*. This cuts across many dimensions – anonymous vs. identified accounts, bi-directional (friends) vs. uni-directional (follower) relationships, monitoring and oversight, etc. – but particularly important is *the type of media* that is featured on the platform. YouTube is a platform for sharing videos. Instagram and Snapchat are primarily for images, although are increasingly used for short videos as well. Twitter features short form text messages and is often used for sharing hyperlinks to other websites, especially news sites; What’s App is also generally used for short messages, although among private groups as opposed to Twitter’s primarily public facing posts. Facebook and LinkedIn feature a format that can be used to share text, images, and videos.

² For all of the demographic data over time, including the figure, the source is <https://www.pewinternet.org/fact-sheet/social-media/>. For more detailed breakdowns of social media usage in 2019 by demographic categories, see <https://www.pewresearch.org/fact-tank/2019/04/10/share-of-u-s-adults-using-social-media-including-facebook-is-mostly-unchanged-since-2018/>.

Platforms also have different reputations and types of discussions they are attempting to cultivate. Reddit is organized by topics, and thus encourages conversation among those with similar interests. Twitter is known as a source of news, with journalists in particular very active on the platform. LinkedIn and Facebook both emphasize bi-directional relationships between users (as opposed to “follower” relationships on a platform like Twitter), although the former is focused on business relationships and the latter ostensibly on more personal relationships.

However, as a May 2017 report from the LBJ School of Public Affairs at University of Texas-Austin reported, in the 114th Congress the average Member of Congress had accounts on six different social media platforms; thus it is likely the case that Members are experimenting with a variety of different versions of social media usage.³ Yet, beyond the variation across platforms, there is a tremendous degree of variation in the ways in which *individual Members of Congress use social media* as part of their communications strategy.⁴

For the past six years, I have taught a course for New York University-Abu Dhabi where my students’ final projects have involved analyzing the social media usage of a Member of Congress. In addition to qualitative and quantitative analysis of the Member’s social media output, the students also conducted interviews with the relevant staff member in the Member’s office charged with overseeing the production of social media content. While we have never systematically analyzed all of the interviews and the Members for the study were not chosen at random, I have read somewhere close to 70 of these reports and would like to offer the following general observations:

- Social media is widely recognized as an important communication strategy, but there is *no consensus on how to assess its effectiveness*.
- The *organizational approach* to managing social media production varies greatly across offices. Some offices have a very hierarchal structure with different people writing posts and then chains of command approving posts before they go online, whereas other offices simply delegate the job to a single person
 - In some offices, the Member of Congress will post directly; in other offices the Member never does so. This can also vary by platform.

³ Greenberg, Sherri G. 2017. *Members of Congress & Social Media: Beyond Facebook and Twitter*, PRP 195. LBJ School of Public Affairs.

⁴ For recently published studies of social media usage by members of Congress, see Vasko, Vidar, and Damian Trilling. 2019. "A permanent campaign? Tweeting differences among members of Congress between campaign and routine periods." *Journal of Information Technology & Politics* 16.4: 342-359; Golbeck, Jennifer, et al. 2018. "Congressional twitter use revisited on the platform's 10-year anniversary." *Journal of the Association for Information Science and Technology* 69.8: 1067-1070; Kreiss, Daniel, Regina G. Lawrence, and Shannon C. McGregor. 2018. "In their own words: Political practitioner accounts of candidates, audiences, affordances, genres, and timing in strategic social media use." *Political communication* 35.1: 8-31; Straus, Jacob R. 2018. *Social Media Adoption by Members of Congress: Trends and Congressional Considerations*. Congressional Research Service.

- The *goals* from social media usage also vary widely, including:
 - Explaining policy positions
 - Illustrating what the “job” of being a Member of Congress entails
 - Humanizing the Member (e.g., showing pictures with family)
 - Documenting constituent service
 - Highlighting links to other Members
 - Engaging in partisan activities
 - Learning about constituents’ policy preferences⁵
 - Engaging with constituents

- Contrary to my expectations, these differences do not seem to be decreasing over time. In other words, I have seen no evidence that there is an emerging consensus on what constitutes best practices.

The final point of the third bullet point – “engaging with constituents” – is worth a short additional discussion. One of the great hallmarks of social media has been that it allows for bi-directional communication between politicians and their constituents. However, a 2018 *Congressional Research Service* study found that “Members use the internet more for the dissemination of information than interactivity.”⁶ This accords well with the fact that my students’ interviews time and again have recorded staff members saying that they avoid interaction on social media (e.g., responding to comments) out of a variety of concerns, including both not wanting to alienate potential constituents with comments, but also fear of alienating people to whom they did *not* respond, out of concern they would feel slighted if the Member appeared to be more interested in the remarks of others. Interestingly, research on the behavior of European legislators has suggested that legislators are increasingly eschewing the use of social media as a means of interacting with the public due to the incivility they encounter online.⁷ So there are a number of different strands of research suggesting that the use of social media by national legislators appears to be less “bi-directional” (in the sense of back and forth conversations) than it is simply another means to disseminate information.

Differences between the US Postal Service and Social Media Platforms

To the extent that we are considering communications via social media to be an alternative way by which Members of Congress can communicate with the mass public in comparison to traditional mailings, it is worth highlighting a few relevant differences.

⁵ See for example Barberá et al. 2019. “Who Leads? Who Follows? Measuring Issue Attention and Agenda Setting by Legislators and the Mass Public Using Social Media Data”. *American Political Science Review*. 113(4): 883-901. In this piece, the authors utilize social media data to test whether Members of Congress lead or follow the public in terms of attention to different political issues. Although the authors do not argue that this is done explicitly by examining the Twitter behavior of the public, it shows that there are links between Tweets by Members of Congress and the public in so far as topics being discussed.

⁶ Straus, *op. cit.*

⁷ Theocharis, Yannis et al. 2016. “A Bad Workman Blames his Tweets: The Consequences of Citizens’ Uncivil Twitter Use when Interacting with Party Candidates”. *Journal of Communication*, 66 (6): 1007-1031.

Social Media Platforms Generate Revenue by Selling Advertisements

The Postal Service – contributions from the federal government notwithstanding – operates on a fee for service model: you pay money to have a letter delivered. Social Media platforms for the most part give away their services for free,⁸ but in return either package and sell users’ data and/or serve up ads to users. This has two important implications:

- Members of Congress can either use the “free” versions of social media platforms or can choose to purchase ads on social media platforms. Any policies surround social media usage by Members of Congress thus should carefully distinguish between these dual uses.
- Messages from Members of Congress that are viewed by the public may appear alongside ads *over which the members have no control*, although this varies by platform.⁹ Consider this equivalent to a franking policy which allowed companies to insert advertisements into mail sent by Members of Congress.

Social Media is not Geographically Constrained

Unlike traditional mail, which can be sent to a particular address, social media posts are delivered to a non-geographically constrained set of followers. While again this differs by platform, it is practically impossible to ensure that messages posted on social media platforms will only be seen by one’s constituents, which is basically a hallmark of traditional mail. Two important implications follow:

- Congressional communications will likely be written with two audiences in mind: *one’s constituents* and *the mass public*. It is worth considering whether this will contribute (or already is contributing) to the nationalization of politics.¹⁰
- It is for all intents and purposes *impossible to ensure “equality” in terms of exposure* to messages when the medium is social media. Even if rules were established to, for example, equalize the number of videos a Member of Congress could post on their YouTube Channel or the number of Tweets they could post in a given day, it is always going to be the case that Members with larger number of followers (e.g., Rep. Ocasio-Cortez has 5.7 million followers on Twitter while the Chair of this committee has approximately 26 thousand followers) will enjoy greater reach for their messages than those with fewer followers.

⁸ Some platforms, such as LinkedIn, charge for “premium” services.

⁹ YouTube, for example, allows a user to turn off ads on their own videos (e.g., <https://support.google.com/youtube/answer/6332943?hl=en>), but that does not mean that viewers will not see an ad on the next video that follows.

¹⁰ See <https://fivethirtyeight.com/features/all-politics-is-national-because-all-media-is-national/>.

Social Media Platforms are Multi-National For-Profit Companies

In contrast to the US Post Office, social media companies are large, multi-national, for-profit companies that are not controlled by the US government. This leads to several important implications:

- For platforms that display content in any manner other than a simply chronological approach, no one outside of the company knows *how companies determine what viewers will actually see*.
 - This is the elusive “algorithm” question: how does the platform serve up content?
- The fact that those outside the companies do not know how this algorithm works has huge implications for understanding the impact of social media on politics generally, but in terms of matter at hand, it means that:
 - Members of Congress will not know how their posts are prioritized relative to other content on the site
 - Members of Congress are unable control how – or even if – their content is seen
 - Members of Congress will be (are) at the mercy of any changes the platforms decide to make in the future about how and when content is presented.
- The “algorithm” in question here changes constantly, so this is not even a problem that could be easily solved by regulation. Even beyond the major updates that get publicly announced,¹¹ we can only assume there are minor tweaks being made constantly in addition to experiments being run on the platforms.
- Social media platforms will be always be seeking to modify their product in an effort to improve profitability, which may or may not result in better (or worse) ways for Members of Congress to communicate with constituents.
 - In general, any policy implemented *vis a vis* Members of Congress’ use of social media platform will be at the mercy of future changes made by large, for-profit companies.
- While individual users can receive information about exposure to their posts, the ability of outside observers to assess these patterns at scale is often severely constrained, thus making it difficult for Congress to retrospectively monitor the impact of its Members’ communication strategies.

¹¹ See for example: <https://wallaroomedia.com/facebook-newsfeed-algorithm-history/>.

- As a multinational company, it is crucial to consider the impact of any US Government requirements placed on the platform. For example, were the US Government to require a platform to grant preferential access to Members' posts, it could set a precedent for authoritarian governments to do likewise.

Importance of Data Access for Assessing the Impact of Social Media on Politics

The previous section has pointed towards the challenges in accessing information about and the impact of communications by Members of Congress on social media platforms. This specific concern is part of a larger class of problems in assessing the impact of social media on social and political developments in contemporary society.¹²

To some extent, it has been the best of times and the worst of times when it comes to social media research. We are beginning to gain important insights into the dynamics of the communication revolution underway. However, despite these achievements and the widely recognized importance of this research, unique constraints have hindered the necessary concerted recent effort to answer the most important empirical questions. The key social media datasets to answer these important questions are not as readily available as were politically relevant datasets of years past. Moreover, unique legal barriers prevent analysis of such data, and related ethical and privacy concerns have arisen that have chilled academic inquiry.

The difficulties in obtaining access to the relevant data cannot be overstated. Unlike most politically relevant datasets, the data necessary for social media research are largely controlled and “owned” by private companies. Whereas most political science data analysis, until recently, has utilized administrative data produced by the public sector, such as election returns and census data, or data produced by researchers themselves, such as surveys or experiments, a large portion of the data necessary to investigate the internet's effect on democracy and elections are locked inside the firms that provide the platforms by which billions of individuals produce these data, such as Facebook and Google. Although different platforms have exerted different levels of effort to make data available for outside research, it remains the case that making data accessible for outside research has not been – and is highly unlikely to be in the future – part of the core mission of these companies. Indeed, it can often get in the way of a platform's profit-making mission, especially (as has often been the case of late) if outside researchers discover problems with the product or identify potential damage it causes to society.

As a result, both the scholarly insights and research agenda as to the effect of social media on democracy run the risk of being biased by the kind of data platforms make available to researchers. For example, the vast majority of the research studies on which we report in this volume are analyses of Twitter data. This is not necessarily because there is a consensus that Twitter is the most politically consequential social media platform – although it certainly is

¹² This remainder of this section of the memo – with the exception of the last paragraph – is taken from the forthcoming edited volume chapter: Persily, Nathaniel, and Joshua A. Tucker. 2020. “Conclusions: The Challenges and Opportunities for Social Media Research”, in Nathaniel Persily and Joshua A. Tucker, eds., *Social Media and Democracy: The State of the Field*, forthcoming, Cambridge University Press. Included here with Persily's permission.

important for politics in many countries – but instead because Twitter data has historically been the most easily accessible to the scholarly community.

One reason the firms are generally so reluctant to share their data is that the costs – legal, financial and reputational – of unauthorized disclosure are so high. Today, academic requests for access to this kind of data are seen in the light of the now infamous Cambridge Analytica scandal. As is now well known, in 2014 a researcher at Cambridge University, acting in his personal capacity, placed a psychological questionnaire on Facebook’s platform. Users taking the survey consented to deliver data about their profile and activity on Facebook and that of their friends (who never consented to the survey). That researcher transferred the data to Cambridge Analytica, a political consulting firm that was working with, among many others, the campaign for then-candidate Donald Trump. As a result, some data of at least 50 million Facebook users was delivered to a political consulting company that said it had developed and employed new methods of psychographic profiling that could be used for political advertising and other forms of campaign targeting.

In the midst of all this, regulators around the world have, predictably, flexed their muscles to constrain the platforms’ ability to make private data accessible to anyone outside the firm and, in some cases, to prevent collection of certain data by the firm itself. Since 2011, Facebook had been under a consent decree with the U.S. Federal Trade Commission. That decree, which arose out of Facebook’s failure to comply with its articulated privacy policies, constrains all kinds of potential data access for academics and others. It also places Facebook under intense and continuous oversight by a federal agency. Based on its perceived breach of the consent decree in the Cambridge Analytica scandal, the FTC entered into a new settlement and decree with Facebook, which involved a five billion dollar fine and additional future oversight of Facebook procedures.¹³

The privacy related obstacles to research access are not limited to those legislated by governments, however. In the wake of Cambridge Analytica, other privacy scandals, and governments’ regulatory responses, a powerful civil society privacy movement has arisen. The privacy policies of the platforms themselves, as well as surveillance by governments, are the main targets of this movement. The movement is both necessary and salutary given the real dangers to privacy that the evolving digital environment portends. Academic research, however, has become collateral damage in this battle between privacy advocates and the platforms. At the heart of this movement lies the argument that individuals who provide data to social media platforms do not do so with the intent that these data will be used for purposes beyond simply sharing their posts with the intended audiences. These “other purposes,” of course, include the bread and butter of social media platforms’ business models – targeting ads – but also potential uses of digital trace data for social good, including but not limited to scholarly research in the public domain. Under the most extreme view, only data that the user has expressly made public or has been specifically designated for academic analysis (for example, through a survey instrument designed to gain consent for research) could be analyzed by academics.

¹³ See <https://www.ftc.gov/news-events/press-releases/2019/07/ftc-imposes-5-billion-penalty-sweeping-new-privacy-restrictions>.

As we think through possible data sharing paradigms, it is important to begin with an understanding of the fact that prohibitions on the sharing of social media data for analysis by the scholarly community – or any researchers who are committed to sharing findings in the public domain – do *not* mean that social media data are not being mined for insights. Rather, it means that *employees of the platforms will be the only ones* mining the data and learning the answers to the most pressing questions as to social media’s impact on democracy and other social phenomena. Insights and expertise will therefore flow solely to these large, multinational corporations, which can then pick and choose on their own which questions to ask and what conclusions to share with the public at large. Recognizing this inconvenient truth, the question as to research access and privacy is not whether user data should be mined for insights, but whether the platforms should have a monopoly on such access or inquiry.

As dangerous as these information monopolies may be in the abstract, such dangers are compounded when only those who work for the firms and share in its corporate mission are able to gain social insights from the data they possess.¹⁴ Thus, it may be the case that a somewhat radical reframing of the debate around access to social media data is well overdue. We need to move beyond the normatively pleasing paradigm of “should the platforms respect the privacy concerns of their users” – with which, of course, everyone agrees in the abstract – to one that fully embraces the trade-offs inherent in making data accessible to outside researchers. Such a framework might be based around several key principles:

1. An understanding that social media platforms’ business models are entirely dependent on insights gained from analyzing data provided by users of those platforms;
2. A recognition of the fact that there are legitimate privacy (and legal) concerns when the platforms grant access to social media data to third parties for research purposes; BUT
3. There are real differences between private actors who analyze these data in order to support for-profit businesses with no obligation to release findings to the public (and indeed may even have obligations to shareholders not to do so) and other actors in society whose goals are to analyze these data in order to build tools for (non-profit) social good or to share their findings in the public domain.

¹⁴ For more on the monopoly potential and power of digital platforms, see the University of Chicago’s Stigler Committee *Report on the Digital Platforms*, released on Sept. 17, 2019: <https://research.chicagobooth.edu/-/media/research/stigler/pdfs/digital-platforms---committee-report---stigler-center.pdf>.

4. There are real gains – economic, political, and social – that can result from the public sharing of insights from analyzing social media data. These benefits run the gamut from medical discoveries to disaster prevention to identifying and preventing foreign interference with elections. There are also dangers when public policy is made without advantage of the insights that can be gained through analysis of social media data.

Thus, the question of whether social media data ought to be shared more or less widely than they currently are is not merely a question of how platforms can better respect the privacy concerns of their users. Rather, policy makers and advocates need to consider the *tradeoffs* between a world in which *data are shared less frequently but gains from analysis accrue only to large for-profit companies* and a world in which *data are shared more frequently but gains from analysis can accrue to the public at large*. Under the former, privacy can (usually) be better protected but net social gains are likely to be smaller; under the latter, there are larger threats to privacy but the opportunities for social gain are arguably larger as well.

It is into this debate that any sort of attempt to monitor the existence and impact of Congressional communication through social media will undoubtedly fall.

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University of Birmingham, Birmingham, England: *M.I.S.*(Master of International Studies), December 1994.
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ACADEMIC EMPLOYMENT

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Director, Jordan Family Center for the Advanced Study of Russia, 2016-present.
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Co-Director, NYU Social Media and Political Participation (SMaPP) lab, 2012-present.
Professor of Politics, 2011 – present; Associate Professor, 2006-2011.

Princeton University, Princeton NJ
Assistant Professor of Politics and International Affairs, February 2001 – August 2006.

BOARDS AND GRANTS

Editorial, Executive, and Advisory Boards: *NYU Stern Volatility and Risk Institute* (2019-present)
Comparative Study of Election Systems (2018-2023), *New York University Press* (2018-2020) *American National Election Study* (2015-2018), *Post-Soviet Affairs* (2016-19) *Journal of Politics* (2015-2018), *Political Behavior* (2015-2018), *East European Quarterly* (2015- present), *Electoral Studies* (2004 – present), *Midwest Political Science Association* (Vice-President, 2012-15), *Association for the Study of East European and Eurasian Societies* (2011-14), *European Parliament 2014 Elections Voting Advice Application Project* (2013-14), *Jordan Center for the Advanced Study of Russia* (NYU, 2013-2016), *Center for the Study of Democratic Politics* (Princeton, 2001-2003).

Recent Grants: Principal or Co-Principal Investigator on grants awarded from the National Science Foundation and seven philanthropic foundation to support research of the NYU Social Media and Political Participation (SMaPP) lab and the establishment of the NYU Center for Social Media and Politics totaling approximately \$14 million (2017-2019).

BOOKS

2020. *Social Media and Democracy: The State of the Field* (edited volume, co-edited with Nathaniel Persily, forthcoming). New York, NY: Cambridge University Press, forthcoming.
2017. *Communism's Shadow: Historical Legacies and Contemporary Political Attitudes* (with Grigore Pop-Eleches), Princeton Studies in Political Behavior, Princeton, NJ: Princeton University Press.
2006. *Regional Economic Voting: Russia, Poland, Hungary, Slovakia, and the Czech Republic, 1990-1999*, New York: Cambridge University Press.

RECENTED RELATED PEER REVIEWED JOURNAL ARTICLES

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- News coverage in NY Times, CNN, BBC, and 170 other US and international news outlets
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