REGULATORY ENFORCEMENT: WINNING THE DEBATE

Analysis of Findings
from a Nationwide Survey of Registered Voters

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Methodology

- The Bauman Foundation and the State Innovation Exchange commissioned Lake Research Partners to conduct an online survey of 1,000 registered voters on issues related to regulation and the enforcement of regulations in the US. The survey fielded between November 14th and 22nd, 2016.

- In addition to more typical close-ended survey questions, the online survey included an 'online dial test' – an A/V portion similar in format and function to an in-person, instant response dial session. This methodology allows for analysis at a more **unconscious** level than does traditional message testing.

- In this instance, Lake Research in conjunction with Putnam Partners, filmed and tested a mock debate consisting of four 'US Representatives' discussing issues related to the enforcement of regulation in the US (two articulating pro-enforcement positions and the other two articulating anti-enforcement positions). Each Representative delivered two statements – one a more general commentary on the state of regulation in the US and the other a more pointed argument with regards to the impact of enforcement (or lack thereof) on jobs or water safety.

- This exercise was designed to provide a language analysis of the frames and messages that would be most effective in growing support for increased enforcement of regulation at the national and state levels.

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Key Takeaways

- We can win the regulatory debate if our side is framed correctly. As we have seen in focus groups, polls, and dial groups, the call for tougher, fairer and increased enforcement (with penalties) beats their message of killing jobs, increasing costs, and hurting small business. Furthermore, the frame of increasing tough and fair enforcement is a winning strategy on regulatory debates even in the Trump era. With this frame, we win at least two-thirds of Democrats independents and Republicans on the question of increased enforcement at the national level.

- In four protracted head-to-head debates, pro-enforcement messages win over the opposition's arguments with Base and Persuasion/Conflicted voters (the vast majority of voters) even when up against 'job-killing, cost-increasing' arguments. Pro-enforcement messages win when we focus on enforcing existing rules, penalizing violators and tougher enforcement.

- The strongest debate arguments focus on **safeguarding Americans** from harm to public health and safety (including both the **WV and West TX* case studies**), as well as the need for "**common sense enforcement**" of rules and laws that "**ensure our air and water are clean**" – a specific **clean water** argument that references Flint, MI reinforces this (and even wins against the anti-enforcement response among Republicans).   And in keeping with the populist sentiment that informs this debate, messaging around taking on big corporations and **inadequate penalties** for actors and punishing who cause harm to American's physical or economic well-being **(and the need for tougher penalties)** also resonates powerfully with Base and Persuasion/Conflicted voters, who comprise the vast majority of the electorate.

- While it is not our strongest argument, we still have a strong populist message on jobs which helps establish a broader economic frame and grows support for increased enforcement.

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Executive Summary – Context

- Voters – across party lines – strongly believe there is a role for government in protecting Americans from harm as a result of unfair and unsafe business practices. Even the small minority of voters who oppose *increased* enforcement of regulations agree on this point. Voters are highly responsive to pro-enforcement messaging including in a highly competitive environment, with the most effective message frames emphasizing the importance of safeguarding Americans against harms to public safety. In addition, message frames highlighting the need to protect Americans from economic devastation are only slightly less compelling, offering progressives an important entrée point to reclaim this critical economic debate.

- Support for increased enforcement of our country's laws and regulations is actually even higher among Republicans than Democrats and independents *at the outset* of the survey, likely a by-product of the elections. Trump's anti-immigration, anti-free trade, tough on crime and terrorism rhetoric has resulted in heightened calls for enforcement among his Republican supporters and tempered support among the Democratic base. However, as we contextualize enforcement, we start to see more expected partisan divides.

- A strong economic populist vein runs through this debate. There is broadly shared acknowledgement that big business too often promotes the interests of profit above the health and safety of people and the environment. Moreover, as voters agree we need tougher, more equal enforcement of our regulations to ensure big corporations, not just ordinary Americans, are held accountable for their actions. And in keeping with this, **messaging around inadequate penalties for powerful actors** who cause harm to American's physical or economic well-being (and the need for tougher penalties) resonates powerfully with key audiences.

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Executive Summary – Message Strategy

- In a mock debate consisting of 8 different video segments (4 pro-enforcement and 4 anti-enforcement statements), **arguments in support of greater enforcement consistently outperform the opposition**, including on economic dimensions, overall, as well as among both Base and Persuasion/Conflicted voters. The frame of increasing tough and fair enforcement is a winning strategy on regulatory debates even in the Trump era.

- The strongest debate arguments focus on **safeguarding Americans** from harm to public health and safety (including both the **WV and West TX* case studies**), as well as the need for "**common sense enforcement**" of rules and laws that "**ensure our air and water are clean**" – a specific **clean water** argument that references Flint, MI reinforces this.

- While our point of **refutation on the anti-regulation message focusing on jobs and the economy is slightly weaker, it still out performs the opposition rhetoric**. Moreover, the results of the past (multiple) elections demonstrate that progressives cannot afford not to engage on this issue. While concerns about the costs to jobs and the economy persist, we must continue to advance arguments with evidence of job creation and economic growth as a result of enforcement. Regression analysis also reveals that this message shows strong predictive power to generate support for increased enforcement.

- Other aspects of pro-enforcement messages that are powerful include referencing the propensity of "**big businesses and a wealthy few**" to promote their profit interests above the health and safety of ordinary people along with the influence of "**corporate lobbyists and cash**" in helping to weaken enforcement of laws overtime. Pointing out how investments in our (water) infrastructure would help create "**hundreds of thousands of well-paid jobs**" is also effective.

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Executive Summary – Message Strategy (Con't)

- **Case studies** remain a powerful part of successful strategies, though the frames themselves are quite strong on their own as well. Case studies are especially useful in motivating the Base. Another key component of successful messaging is highlighting success stories and language about how enforcement wins.

- At the party level, pro-enforcement debate arguments perform significantly higher than anti-enforcement arguments among both Democrats and independents. Not surprisingly, Republicans tend to rate anti-regulation debate segments higher than pro-enforcement segments, though not dramatically so; they still find pro-enforcement arguments convincing, rating them on the positive end of the dial scale overall (scale goes from 0 to 100 – Republicans award pro-enforcement videos mean ratings above 60). **In fact, we actually win among Republicans when the debate turns to clean water.**

- Even more telling is post-debate, 89% of Democrats, 80% of independents, and 68% of Republicans support increased enforcement of regulations at the national level *even after hearing arguments* that include references to 'excessive' and 'job killing' regulations and rising costs and taxes which is the most effective critique.

Demographic Analysis:

- Pro-enforcement debate segments also perform better than anti-enforcement arguments across all age groups despite the deep generational divides that characterize the last election. There is consensus across age cohorts that the strongest messages are those that focus on the need to safeguard Americans from physical harm and ensure our air and water are kept clean and safe.

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Executive Summary – Communicating With Key Targets

- Though they still rank our messages higher than each of the opposition's, older Americans over the age of 50 are more likely to agree with certain opposition messages more than their younger counterparts. This is especially true with messages that make reference to "**bureaucratic red tape**" hindering small businesses and excessive regulations **"decimating our manufacturing base".** Millennials are also more receptive than older Americans to a message that emphasises the populist theme of big businesses promoting their own profit agenda at the expense of the health and safety of ordinary Americans.

- While **men and women** both rank our messages higher than the opposition's, **women's reactions are more positive** than men's across the board. This disparity is particularly evident in the pro-enforcement message that focuses on the potential economic benefits of increased enforcement. While women give this message an average rating of 68, one of the highest testing messages among this group, men give it a rating of 64 – the lowest testing among men, though still competitive against the opposition's argument on jobs (rating of 61 among men, rating of 60 overall).

- **African Americans and Latinos** consistently offer more positive assessments of our messages than white Americans, though all three groups rate our messages higher than the opposition's. African Americans are especially positive towards the message that focuses on the need for "common sense regulations" that ensure the safety and cleanliness of our drinking water, and the message emphasizing the potential economic benefits of enforcement – each of these messages receives an average rating of 71, the highest rating across race. While whites and Latinos each give the highest rating to the message emphasizing the need to safeguard Americans, Latinos react more positively to the economic benefits message than whites.

Executive Summary – Conscious Message Test, Attitudinal Shifts, & the Trump Effect

- In addition to the mock debate, the survey includes a traditional message battery or arguments in favor of increased enforcement of regulation. This battery included some arguments that were covered in the debate (the West Virginia and West Texas* case studies), as well as some new lines of argument.

- All messages receive majority 'very convincing' (rating of 80-100) scores, with the most persuasive being an argument around **inadequate penalties** for companies and executives that break the law and a **West Virginia case study** about water contamination from a chemical leak. The former was the top testing message in the 2014 survey and tests well within the context of the debate. It is also the most resonant argument among Persuasion voters and even opponents of increased enforcement, to some extent, agree with the need for tougher penalties. As in the debate exercise, each of these messages tests better among women than men, among older Americans than younger Americans, and among voters of color than whites.

- As the **West Virginia case study shows**, both in the conscious message testing and video exercises, referencing such examples remains a powerful way to bolster pro-enforcement arguments, particularly among women – the West Virginia case study is the most persuasive message among women in the conscious message test while the two most effective pro-enforcement video segments among women are those that reference the same case study and the refinery explosion in West Texas.

- Referencing examples like these resonates more among older Americans than younger Americans. Voters over the age of 50 give higher ratings to both the conscious messages and videos that reference the WV and West TX case studies than younger voters, though the differences are more marginal in the videos.

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Executive Summary – Conscious Message Test, Attitudinal Shifts, & the Trump Effect (Con't)

- **Voters of color** are more persuaded by the use of case studies than whites. The WV case study message along with the video segment referencing the BP Deepwater Horizon disaster and scheming actions of Volkswagen are the highest rated message and video among African Americans. Among Latinos, the highest rated conscious message is the West Texas Case study (79). Among whites, however, this is the 2nd lowest rated message.

- **Economic arguments** in favor of enforcement perform with slightly less reach and intensity, but the differences are modest. Moreover, the debate exercise reveals just how competitive our economic messages are vis-à-vis the opposition's—besting them among Base and Persuasion targets by healthy margins at both the conscious and unconscious levels.

Note: In May of 2016, the West Texas blast was ruled arson. However, officials have blamed the blast in part on a "failure of a company to take the necessary steps to avert a preventable fire and explosion and from the inability of federal, state and local regulatory agencies to identify a serious hazard and correct it." (http://www.cnn.com/2016/05/11/us/texas-fertilizer-plant-blast/)

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Message Triangle

Protection: Health & Safety of Americans

- Flint is not the only example of lax enforcement of public health and safety protections. Lead-contaminated tap water is a national problem; 18 million people use water systems with lead levels that violate current standards—not counting schools.
- In 2014, an est. 10,000 gallons of toxic chemical waste leaked from a private facility into a West Virginia river, contaminating the drinking water supply of over 300,000 residents, putting pregnant women, seniors, and children at risk. This water system hadn't been tested in over a decade, in violation of the laws, and warnings of contamination were ignored.
- In 2013, an explosion at a fertilizer facility in West, Texas killed 15 people, including 12 first responders, and destroyed three schools, a nursing home, and hundreds of homes. The last time that facility was inspected by OSHA was in 1985, and despite a serious violation it got a $30 fine.

Restore Balance: Prevent Economic Disasters

- The system is out of balance, favoring the wealthy and powerful over ordinary Americans and small businesses.
- We can't trust big business to police itself when penalties are so low. Employers who have a workplace death are fined an average of $7,000. Wall St. executives responsible for the financial collapse avoided prosecution and received bonuses instead. Executives should be held to the same standards as the rest of us--incl. criminal penalties, even jail time.
- Taxpayers spent millions of dollars bailing out the auto industry only to find some of the same companies deliberately broke US laws, jeopardizing lives in the process. VW cheated and lied about dangerous emissions for millions of vehicles, while GM ignored evidence of fatal defects in its cars. Until they were caught, hundreds of drivers died and untold damage was done to our air quality.

Enforcement Of Regulations

Enforcement Works

- Proper enforcement of our laws can ensure that everyone plays by the same set of rules. Regulations that ensure things like clean water, clean air, and financial responsibility, create good jobs and put money in the pockets of working families, helping entire communities not just shareholders.
- Whether prohibiting big banks from destroying our economy, stopping the credit card industry from charging billions in hidden fees, or preventing the tax cheats from hiding trillions in offshore tax havens, or preventing polluters from poisoning our air and water, tough but fair enforcement of our laws helps keep Americans safer from physical and economic harm.

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Messaging Overview

Strengths of Our Side

We can't trust big businesses and corporations to police themselves (esp. when penalties are so minimal)

Protect health, save lives

Big corporations promoting profits above the health and safety of Americans

Big corporations, not just ordinary Americans, need to be held accountable for their actions

System is out of balance, favoring the wealthy and powerful over ordinary Americans and small businesses

Industry lobbyists are easily able to buy politicians

Effective enforcement of regulations can create jobs & good wages

Safeguarding Americans from an economic catastrophe

Investment in water infrastructure will create hundreds of thousands of well-paid jobs

Benefits of fair regulation far exceed the costs

Pain Points

Staggering costs of Federal debt costing taxpayers and small businesses

Regulations often put too much power in the hands of a few out of touch bureaucrats

Isolated examples not indicative of a systemic problem, and more government is not the answer (effective response to case studies)

Small business, the backbone of our economy, are crushed by the weight of bureaucratic red tape and burdensome regulations

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Defining our Target Audiences

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Defining Base, Opposition, and Persuasion

Throughout the report we refer to three target groups - Base, Opposition, and Persuasion. These are derived variables that cluster groups of voters based on similar values.

Base: 21% of sample

- *Strongly* believe increased enforcement of our national laws is a good thing (Q42)
- Say the enforcement of our laws and regulations in the U.S. generally works/succeeds (Q46/47)
- Disagree that excessive regulation is costing all Americans money and costs jobs (Q54 and 57)

Opposition: 16% of sample

- Believe increased enforcement of our national laws is a bad thing or somewhat good at best (Q42)
- Say the enforcement of our laws and regulations in the U.S. does not work/fails (Q46/47)
- Agree that excessive regulation is costing all Americans money and costs jobs (Q54 and 57)

Persuasion ('Conflicted'): 63% of sample

- Hold conflicting and sometimes contradictory positions with regards to their perceptions of and support for regulation
- They support enforcement but worry about its costs to the taxpayer and economy

Demographics	Total	Base	Opp.	Pers.
Men	48	47	53	47
Women	52	53	47	53
Under 30	21	19	18	23
30-39	16	11	14	18
40-49	17	16	10	19
50-64	25	29	25	24
Over 65	21	25	34	16
White	67	68	82	63
AA	13	16	5	14
Latino	13	11	8	15
Northeast	19	23	12	19
Midwest	24	24	32	21
South	37	34	38	37
West	21	18	17	23
Democrat	44	64	16	45
Indep/DK	11	8	10	13
Republican	43	27	70	41

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Defining Base, Opposition, Persuasion

Base – 21% of voters

- **Strongly believe** increased enforcement of our <u>national</u> laws and regulations is a good thing and that enforcement of our laws and regulations generally succeeds more than it fails

  (*Note – national measures provide a stronger litmus than state measures – voters, even Republicans, are more likely to support increased enforcement at the state rather than the national level*)

- Near unanimous support for increased enforcement of both national and state regulations by the end of the survey

- **Disagree** that regulation costs jobs and taxpayers and consumers money

- More likely to be female, Democrat, and residents of the Northeast than counterpart groups and electorate overall

Defining Base, Opposition, Persuasion

Opposition – 16% of voters

- **Believe** increased enforcement of our national laws and regulations is a bad thing (or only somewhat good, at best) *and* that enforcement generally fails more often than it succeeds

- Oppose increased enforcement of national regulations but divide in their attitudes toward increased enforcement at the state level

- **Agree** that regulation costs jobs and taxpayers and consumers money

- More likely to be male, Republican, older, white and from the Midwest than counterpart groups and electorate overall

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Defining Base, Opposition, <u>Persuasion</u>

Persuasion ('Conflicteds') – 63% of voters

- Hold **conflicting** and sometimes contradictory positions

- Tend to support increased enforcement of regulation and believe enforcement generally works (at both the national and state levels)

- But are just as likely to worry about too much as too little enforcement of regulation

- And for the most part agree excessive regulation costs Americans money and jobs

- More likely to be comprised of Millennials and from the West than counterpart groups and electorate overall
- More closely mirror popular vote margin in 2016 vote

The Debate

*If this were an actual, televised debate, pro-enforcement officials would be deemed the winners. Despite the anti-enforcement position beginning the debate, all four pro-enforcement arguments test higher than the opposition's anti-enforcement rhetoric, including among Base and Persuasion/Conflicted voters. Our **strongest** debate **arguments** focus on **safeguarding Americans from physical and economic harm** (including **WV and West TX case studies**), as well as a specific **clean water argument** that references **Flint, MI**. Persuasion/Conflicted targets support increased enforcement of regulation at the completion of the debate, despite underlying cost and jobs concerns. What's more, there is a consistent arch in reactions to pro-enforcement messaging – dial scores increase steadily in reaction to each, absent significant highs and lows.*

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Pro-enforcement messages beat anti-enforcement arguments in each segment, including among persuadable voters

Unconscious Dial Ratings – Mean Score Summary Target Groups					
Rankings	Segment Order	Total	B	O	P
3	pro-enforcement Opening # 1 (Common Sense)	67	74	57	67
5	anti-enforcement Opening #1 (Size of federal register)	61	51	70	62
1	pro-enforcement # 2 (Safeguarding)	68	74	59	68
7	anti-enforcement # 2 (Cost to small business)	58	43	72	60
2	pro-enforcement - Water	68	74	60	68
8	anti-enforcement - Water	53	35	67	55
4	pro-enforcement - Jobs	66	75	48	68
6	anti-enforcement - Jobs	60	45	71	62

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Analyzing Debate Reactions by Partisan Alignments

- At the level of partisanship, pro-enforcement debate segments test significantly higher than anti-enforcement arguments among both Democrats and independents.

- While Republicans rate most anti-enforcement arguments higher than pro-enforcement arguments, the differential in those cases is modest. GOPers still find pro-enforcement arguments convincing, rating them on the positive end of the dial scale overall (mean ratings above 60 on a scale of 0 to 100). ***Moreover, we win outright among Republicans when the debate over enforcement turns to clean water. Younger Republicans and Republican women are also more receptive to our messages than older Republicans and Republican men.***

- And while exposure to the debate and anti-enforcement messaging dampens support (temporarily) for these issues among Republicans, ***the vast majority of Republicans support increased enforcement post-debate.***

- Fully 89% of Democrats, 80% of independents, and 68% of Republicans support increased enforcement of regulations at the national level *after* watching the debate in which we tested strong language about "excessive" and "job killing" regulations. Support ticks even higher among all three groups by the very end of the survey.

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Top Testing Message – Safeguarding w/Examples

Pro-enforcement Opening Statement 2
Representative Derek Gordon

	Conscious Ratings		Unconscious Rating
	Mean	80-100 Convincing	Mean
Total	**73**	**49**	**68**
Base	83	70	74
Opposition	56	21	59
Persuadable	73	49	68
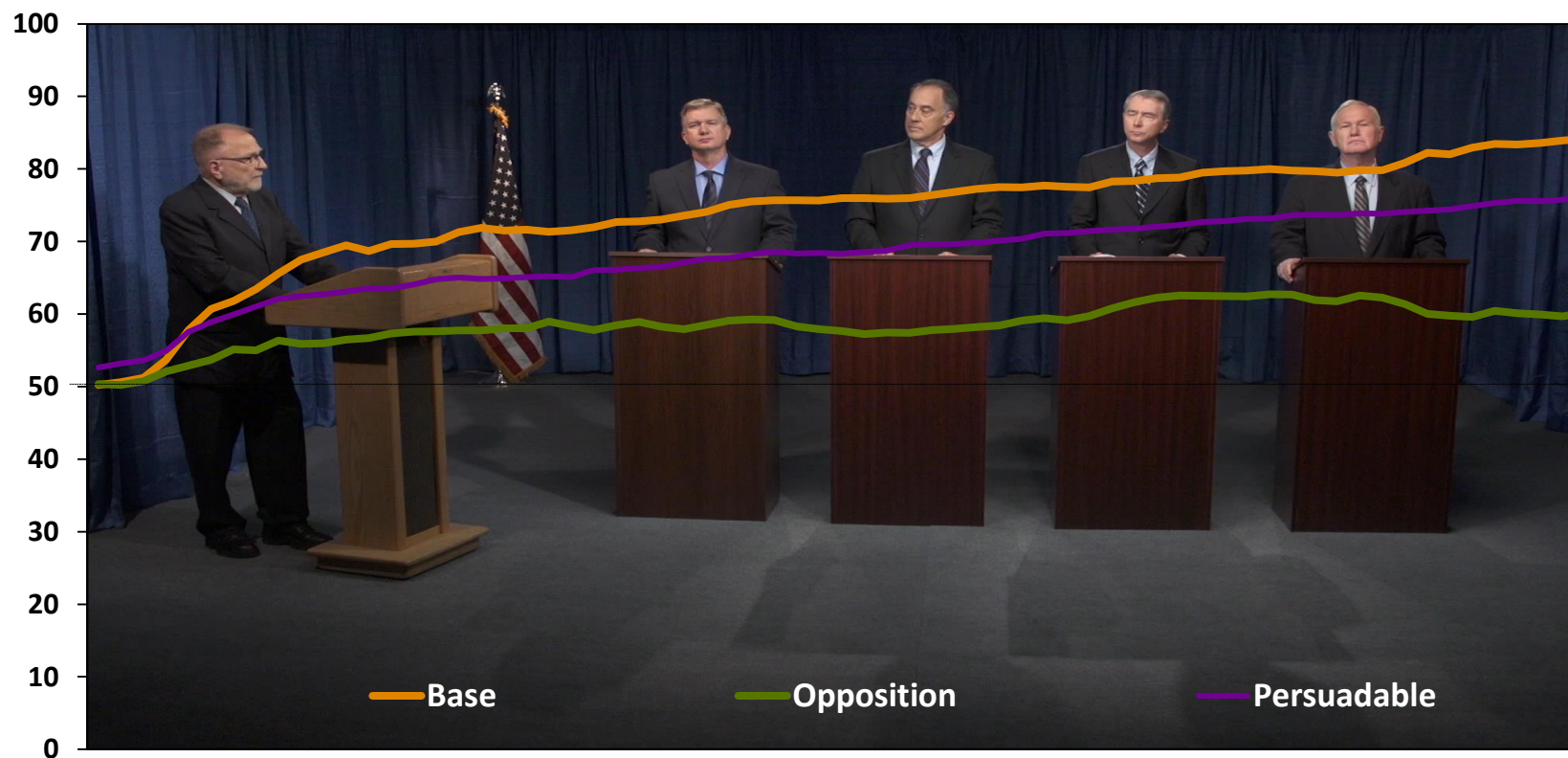
Pro-enforcement Opening Statement 2
Representative Derek Gordon

	Conscious Ratings		Unconscious Rating
	Mean	80-100 Convincing	Mean
Total	**73**	**49**	**68**
Base	74	70	74
Opposition	59	21	59
Persuadable	68	49	68

Enforcement of our laws is about safeguarding Americans, and when done properly, enforcement can prevent economic catastrophe, protect our health, and save lives

Small fertilizer facility in West, Texas killed 15 people, including 12 first responders….

Est. 10,000 gallons of toxic chemical waste leaked into a West Virginia river due to lax enforcement. ……

Water system hadn't been tested in over a decade, warnings of contamination ignored

Tough but fair enforcement of our laws helps keep Americans safer from physical and economic harm

Legend: Base — Opposition — Persuadable

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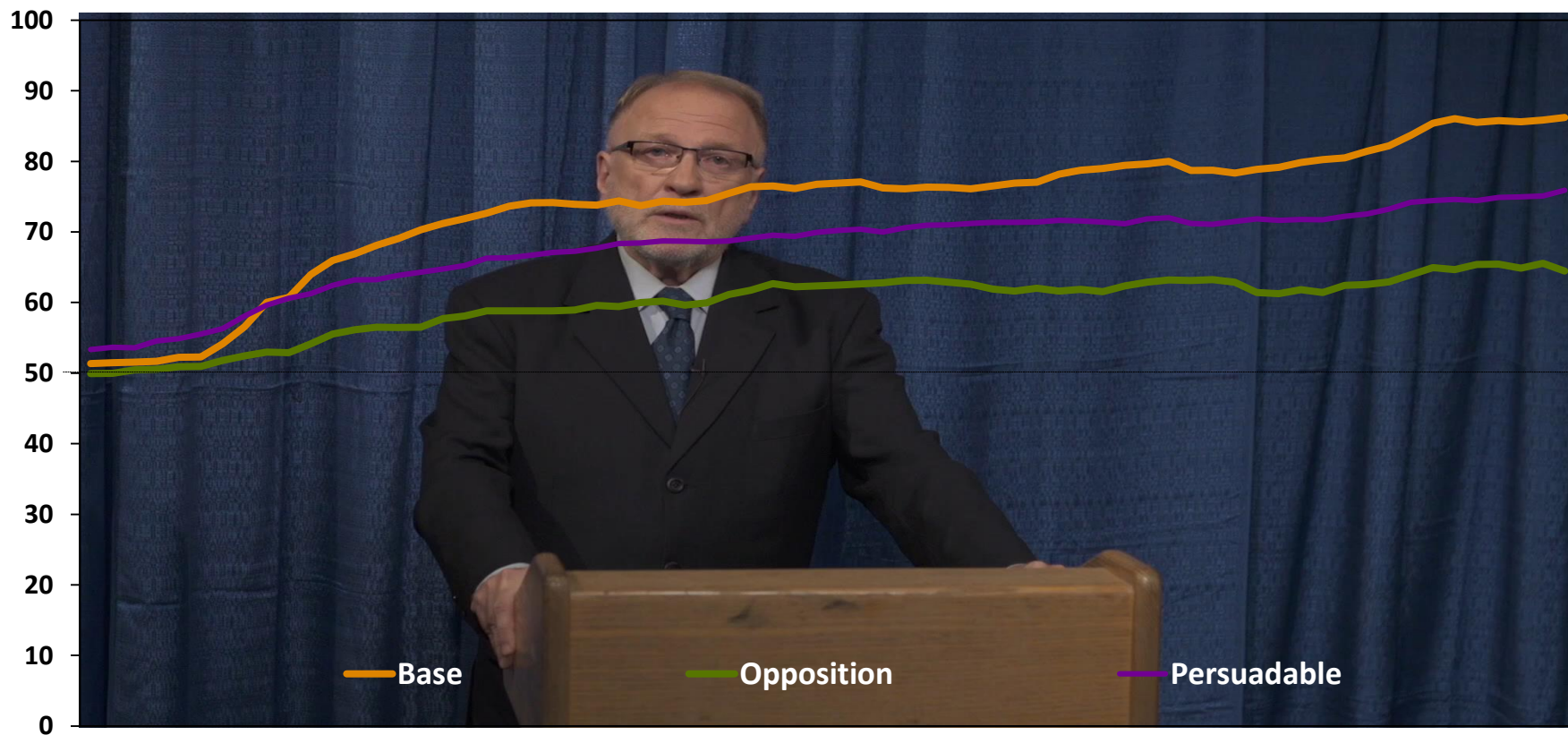
Second Strongest Message - Water

Pro-enforcement - Water Representative Tim Johnson

	Conscious Ratings		Unconscious Rating
	Mean	**80-100 Convincing**	**Mean**
Total	**72**	**46**	**68**
Base	83	68	74
Opposition	59	26	60
Persuadable	72	44	68

Pro-enforcement - Water Representative Tim Johnson

	Conscious Ratings		Unconscious Rating
	Mean	80-100 Convincing	Mean
Total	**72**	**46**	**68**
Base	83	68	74
Opposition	59	26	60
Persuadable	72	44	58

Water contamination – seen it in West Virginia and recently in Flint, Michigan, major problem, but it's fixable, if we do our jobs and enforce existing standards to ensure clean water for all communities

Lead-contaminated tap water is a national problem, EPA data show that 18 million people used water systems that had lead levels that violate current standards—not counting schools

Lax enforcement in 2014 led to an estimated 10,000 gallons of toxic chemical waste leaking into a West Virginia river

Those who violate the rules should face tough penalties, including jail time

Base   Opposition   Persuadable

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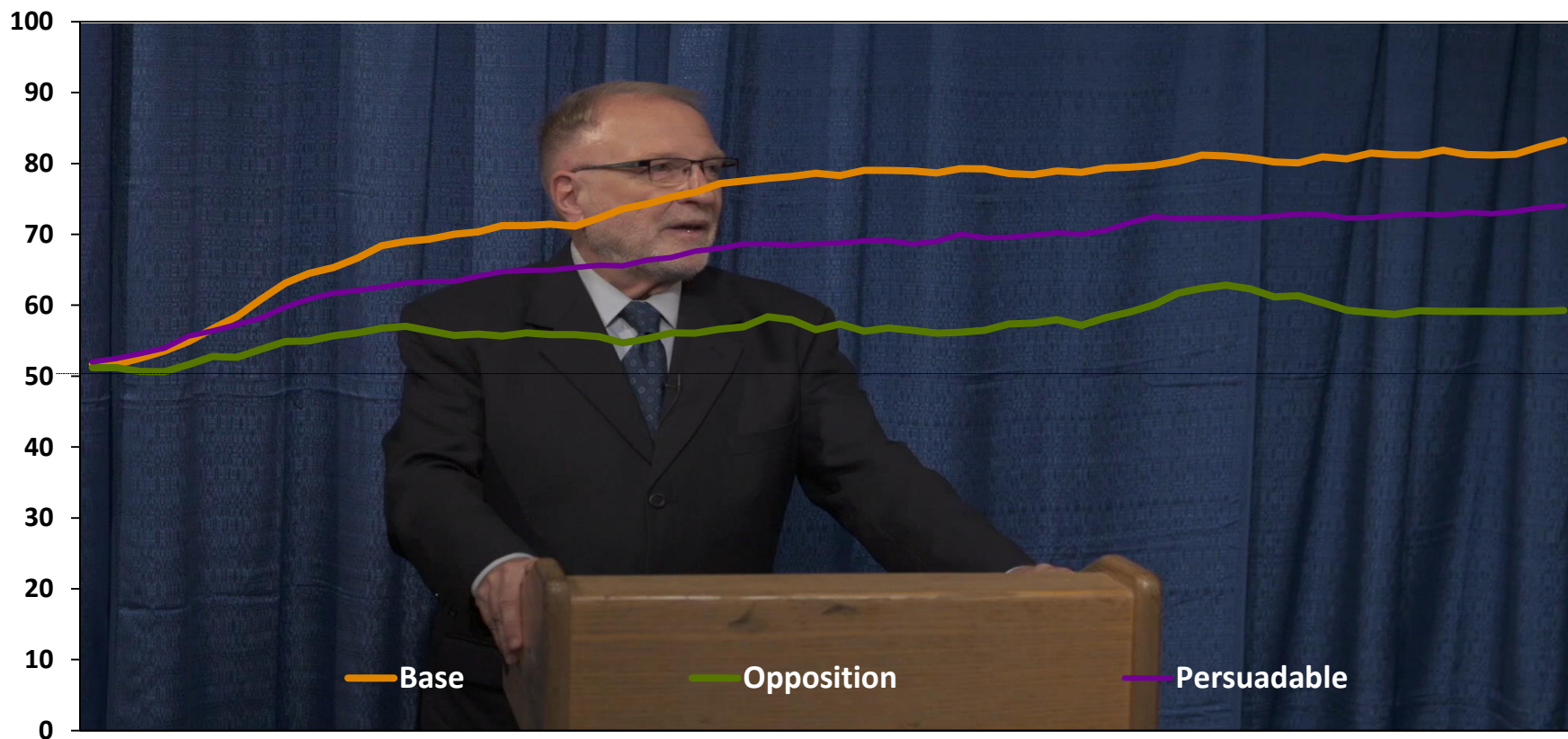Strategy · Precision · Impact

Third Strongest Message – Common Sense
(3rd best by small margin, but alienates opposition more)

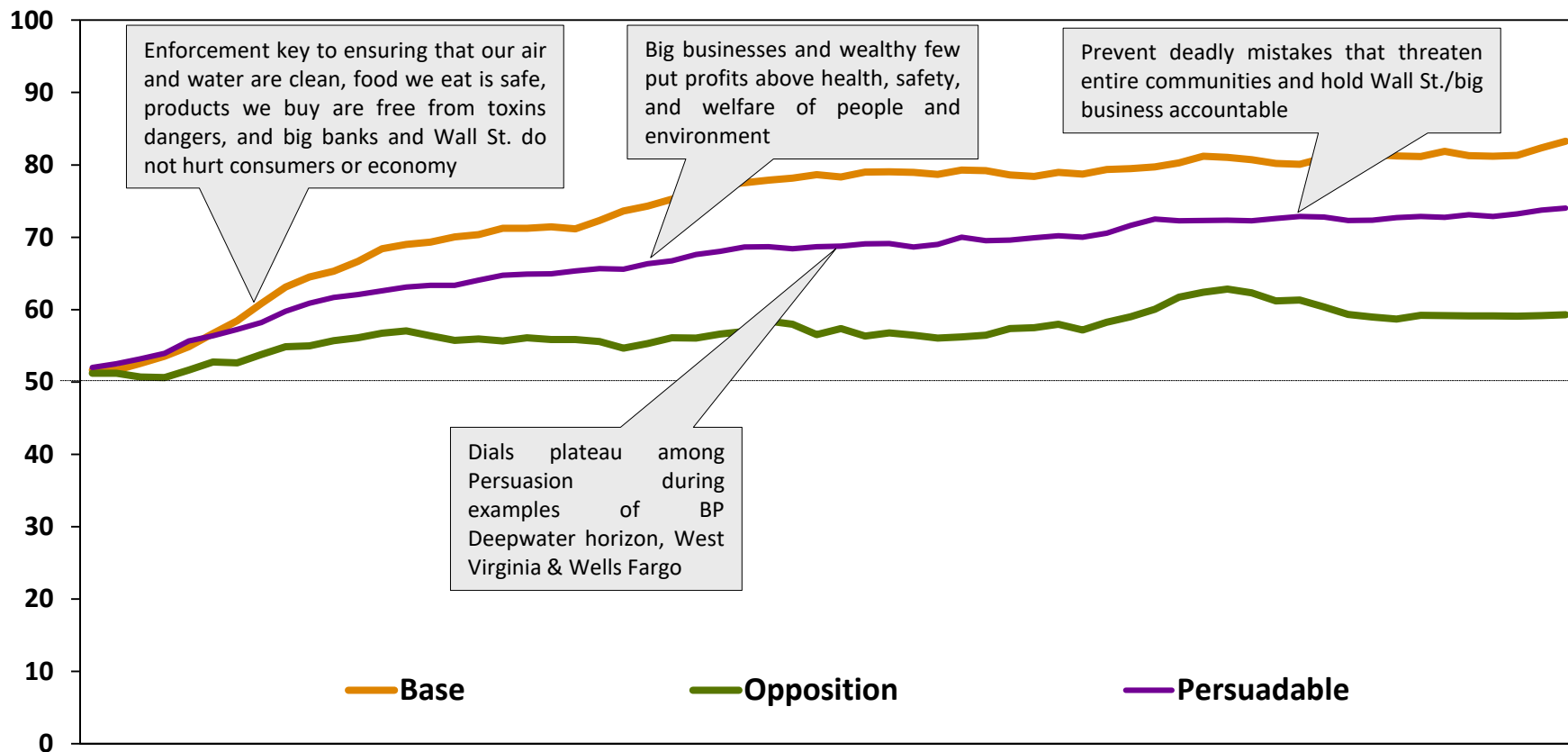## Pro-enforcement Opening Statement
Representative Ted Johnson

| | Conscious Ratings | | Unconscious Rating |
	Mean	80-100 Convincing	Mean
Total	**72**	**46**	**67**
Base	81	69	74
Opposition	57	24	57
Persuadable	72	44	67

Legend: **Base** (orange) · **Opposition** (green) · **Persuadable** (purple)

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Pro-enforcement Opening Statement Representative Ted Johnson

	Conscious Ratings		Unconscious Rating
	Mean	80-100 Convincing	Mean
Total	72	46	67
Base	81	69	74
Opposition	57	24	57
Persuadable	72	44	67

Enforcement key to ensuring that our air and water are clean, food we eat is safe, products we buy are free from toxins dangers, and big banks and Wall St. do not hurt consumers or economy

Big businesses and wealthy few put profits above health, safety, and welfare of people and environment

Prevent deadly mistakes that threaten entire communities and hold Wall St./big business accountable

Dials plateau among Persuasion during examples of BP Deepwater horizon, West Virginia & Wells Fargo
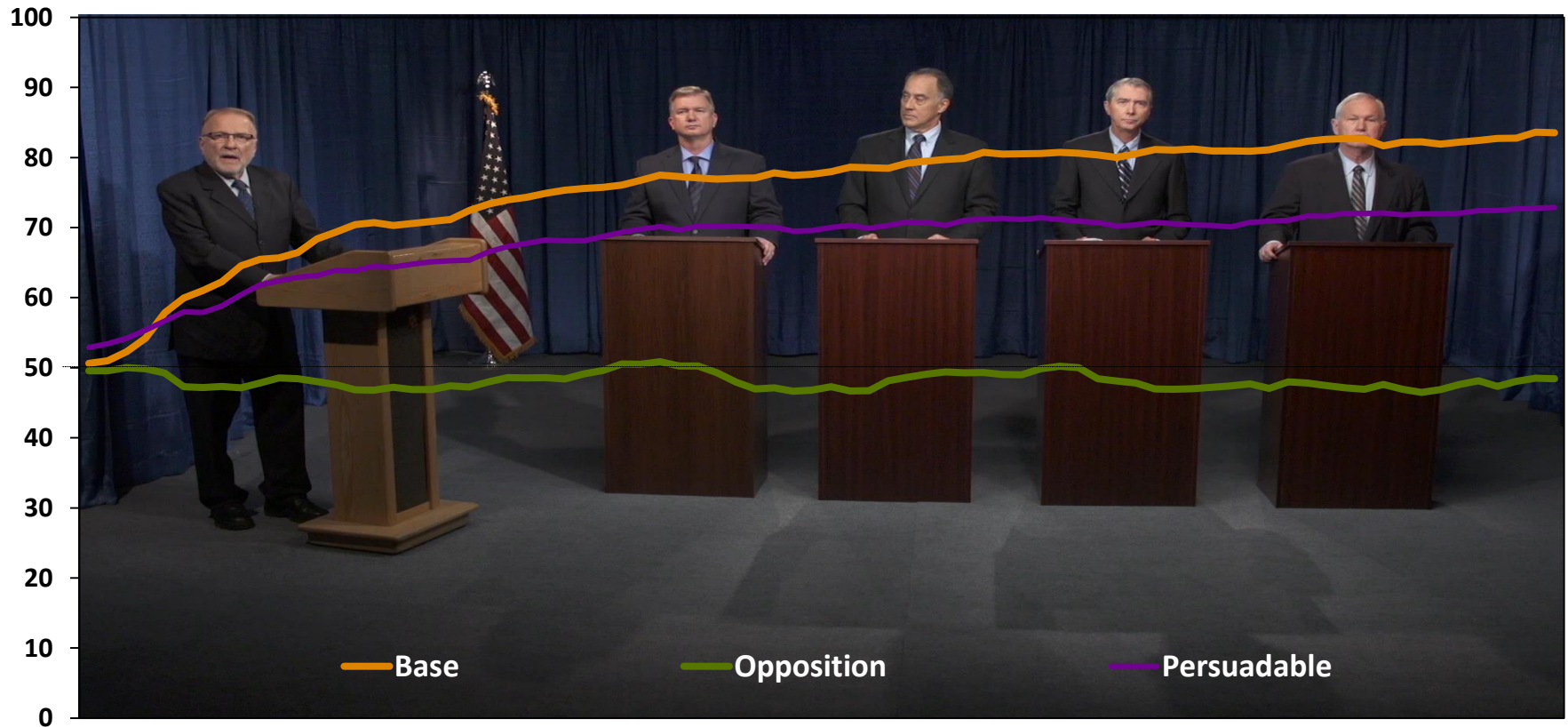
Base **Opposition** **Persuadable**

Fourth Testing Message - Jobs
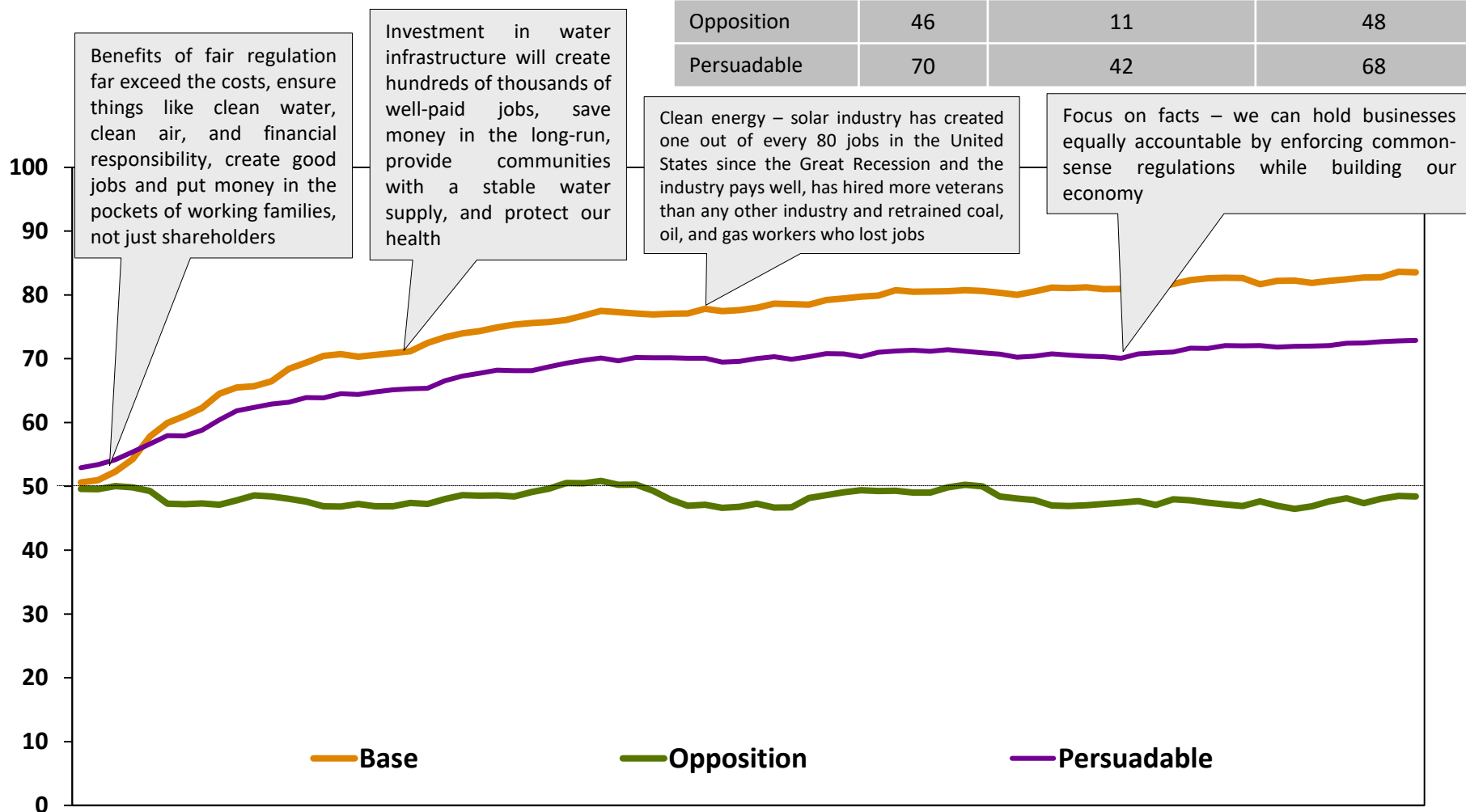**(still has a good start on cultural link to economic message)**

Pro-enforcement - Jobs
Representative Derek Gordon

	Conscious Ratings		Unconscious Rating
	Mean	80-100 Convincing	Mean
Total	**69**	**42**	**66**
Base	82	67	75
Opposition	46	11	48
Persuadable	70	42	68

Pro-enforcement - Jobs
Representative Derek Gordon

	Conscious Ratings		Unconscious Rating
	Mean	80-100 Convincing	Mean
Total	69	42	66
Base	82	67	75
Opposition	46	11	48
Persuadable	70	42	68

Benefits of fair regulation far exceed the costs, ensure things like clean water, clean air, and financial responsibility, create good jobs and put money in the pockets of working families, not just shareholders

Investment in water infrastructure will create hundreds of thousands of well-paid jobs, save money in the long-run, provide communities with a stable water supply, and protect our health

Clean energy – solar industry has created one out of every 80 jobs in the United States since the Great Recession and the industry pays well, has hired more veterans than any other industry and retrained coal, oil, and gas workers who lost jobs

Focus on facts – we can hold businesses equally accountable by enforcing common-sense regulations while building our economy

Legend: Base, Opposition, Persuadable

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Strongest Opposition Message
(including among persuadable targets)

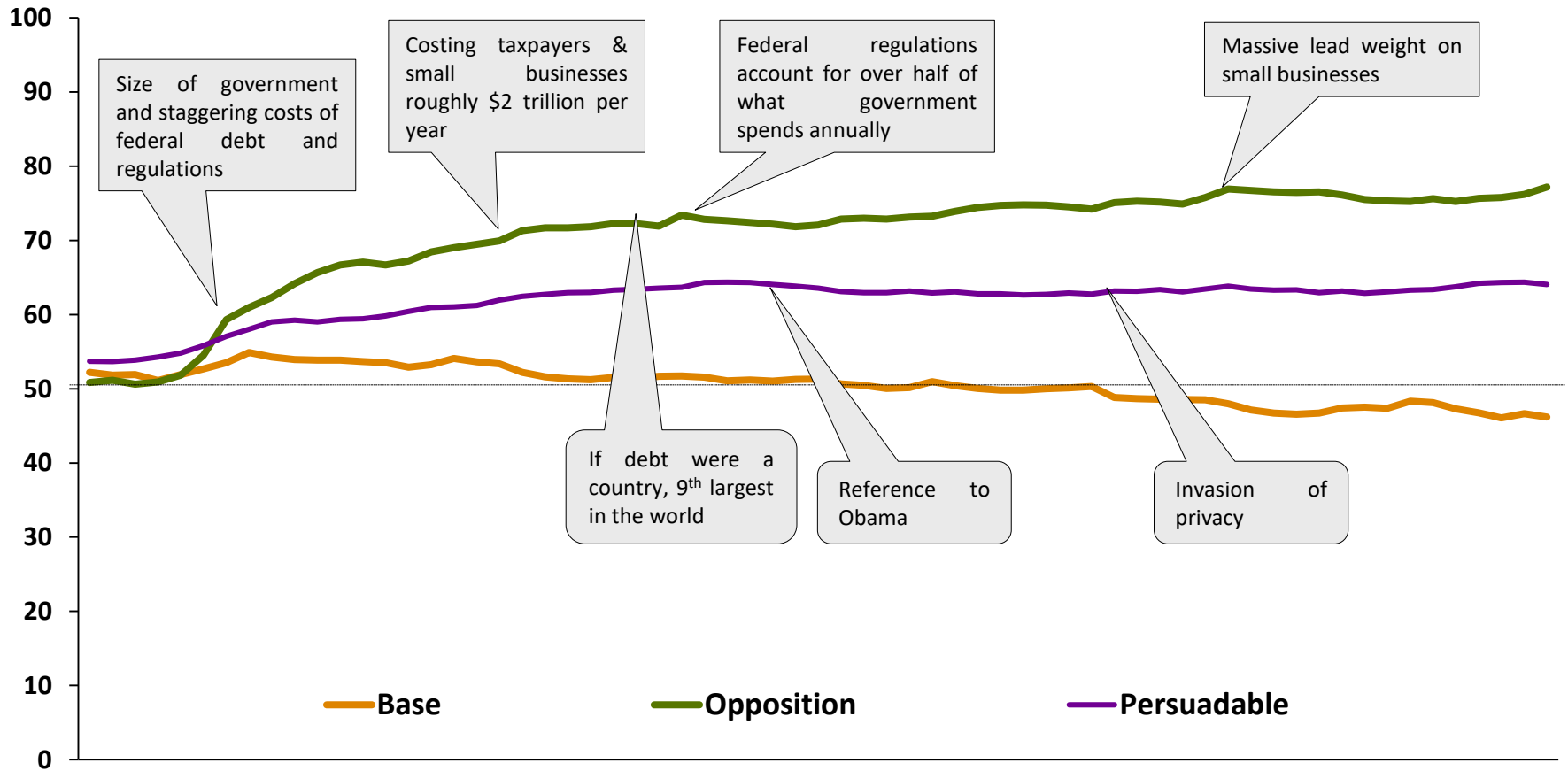## Anti-Regulation Opening Statement
Representative Tim Edwards

	Conscious Ratings		Unconscious Rating
	Mean	80-100 Convincing	Mean
Total	**63**	**35**	**61**
Base	47	22	51
Opposition	75	54	70
Persuadable	65	34	62

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Anti-Regulation Opening Statement Representative Tim Edwards

| | Conscious Ratings | | Unconscious Rating |
	Mean	80-100 Convincing	Mean
Total	**63**	**35**	**61**
Base	47	22	51
Opposition	75	54	70
Persuadable	65	34	62

Size of government and staggering costs of federal debt and regulations

Costing taxpayers & small businesses roughly $2 trillion per year

Federal regulations account for over half of what government spends annually

Massive lead weight on small businesses

If debt were a country, 9th largest in the world

Reference to Obama

Invasion of privacy

Base   **Opposition**   **Persuadable**

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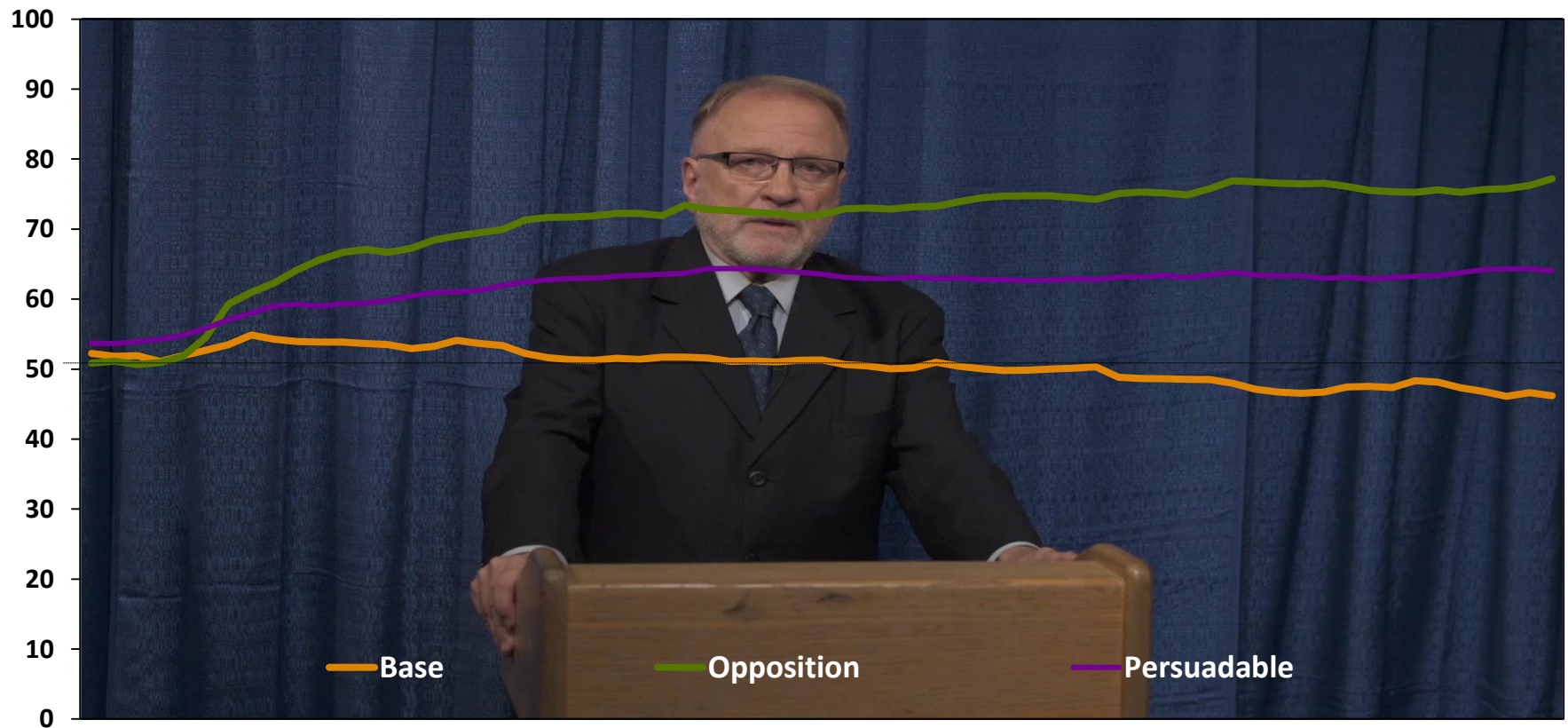
Conscious Messaging Testing
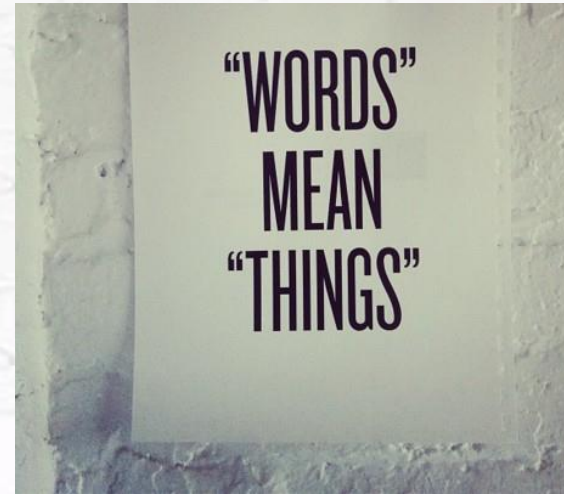
In addition to the mock debate, the survey included a traditional message battery of arguments in favor of increased enforcement of regulation. This battery included some arguments that were covered in the debate (the West Virginia and West Texas case studies), as well as some new approaches. Voters respond strongly to the messages, with majorities offering 'very convincing' scores (ratings of 80-100) for all. The most persuasive arguments revolve around **inadequate penalties for companies and executives that break the law** and the **West Virginia case study about water contamination from a chemical leak**. The latter was the top testing message in the 2014 study and performs well within the context of the debate, too. It is also the most resonant argument among Persuasion/ Conflicted targets.

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The West Virginia case study, the most compelling message from our 2014 study, ranks highest among Persuasion/ Conflicted targets. Inadequate penalties appeals across groups.

Conscious Message Testing - 80-100 "Convincing" (Top Tier)	B	O	P
[INADEQUATE PENALTIES] We can't trust big business to police itself when penalties are so low. Employers who have a workplace death are fined an average of $7,000. Wall Street executives responsible for the financial collapse avoided prosecution and received bonuses instead. Executives should be held to the same standards as the rest of us. They should face criminal penalties, even jail time...We need tougher enforcement of our laws...	84	42	55
[WV CASE STUDY] In 2014, an estimated 10,000 gallons of toxic chemical waste leaked from a private storage facility into a West Virginia river...The leak contaminated the drinking water supply of over 300,000 residents, putting pregnant women, seniors, and children at risk. States are required to test public water systems regularly, but this water system hadn't been tested in over a decade, and warnings of contamination were ignored...	85	25	60
[AUTO] Taxpayers spent millions of dollars bailing out the auto industry only to find some of the same companies deliberately broke US laws, jeopardizing lives in the process. VW cheated and lied about dangerous emissions for millions of vehicles, while GM ignored evidence of fatal defects in its cars. Until they were caught, hundreds of drivers died and untold damage was done to our air quality...	85	27	57

The Texas case study proves to be a compelling message among Base and Persuasion/Conflicted targets. In general, case studies are quite effective at motivating base voters.

Conscious Message Testing - 80-100 "Convincing" (2nd Tier)	B	O	P
[FAIRNESS/ECONOMIC] Proper enforcement of our laws can ensure that everyone plays by the same set of rules. Today, the system is out of balance, favoring the wealthy and powerful over ordinary Americans and small businesses. Whether prohibiting big banks from destroying our economy, stopping the credit card industry from charging billions in hidden fees, or preventing the tax cheats from hiding trillions in offshore tax havens…	78	34	55
[TX CASE STUDY] When enforcement of public protections is neglected, the results can be disastrous. In 2013, an explosion at a fertilizer facility in West, Texas killed 15 people, including 12 first responders, and destroyed three schools, a nursing home, and hundreds of homes. The last time that facility was inspected by OSHA was in 1985, and despite a serious violation it got just a $30 fine….	85	19	55
[WALL ST./ECONOMIC] The financial crisis of 2008 was caused by the weakening of regulations that had controlled America's financial system for decades. The rolling back of rules, and a failure to enforce rules already on the books, enabled the Big Banks to destroy our economy at a cost of more than $13 trillion to taxpayers, nearly 9 million lost jobs, and untold damage to working families across the country…	81	20	51

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Voters respond positively when increased enforcement is defined as "commonsense", "fairer, more equal", and "tougher." It is also persuasive to place increased enforcement in the context of protecting Americans from the narrow, profit driven actions of big businesses and corporations that might place their health and economic well being in jeopardy.

Words That Work
"Tough & fair enforcement"
"Protect health, save lives"
"Commonsense enforcement"
"More equal enforcement"
"Protecting Americans from physical/economic harm"
"Holding big businesses accountable"
"Preventing deadly mistakes"
"Strong and improved enforcement"

Appendix – Debate Script

The Debate Script

MODERATOR: We are live tonight …. for a national public policy debate. I am Jim Bennett. This will be the first of a series of debates in which American lawmakers discuss different approaches to significant policy issues affecting the nation.

Now, let's get to the issues. Tonight we are hosting four distinguished elected officials in a debate on one of the most important issues of our day – regulation. We have with me **four** Representatives…

Our panelists will discuss their thoughts about the role of regulation and the enforcement of regulation in the US.

So let us begin with opening statements. Representative Tim Edwards?

Video 1B
(Opposition Opening Statement) anti-enforcement Representative:

The size of federal government spending and the national debt is staggering, but so is the cost of federal regulations, which now exceeds half the amount the federal government spends annually.

The federal register is now over 80,000 pages long and regulations cost taxpayers and businesses roughly $2 trillion per year. If regulation were a country, it would be the ninth largest economy in the world, ranking behind India but ahead of Russia.

President Obama has issued more than 570 new major regulations since taking office – each with a cost to the economy of $100 million or more. Each is a hidden tax on American consumers and businesses, and a massive lead weight on the American economy."   Each is a blow to small businesses everywhere and an invasion of our privacy.

Today, American free enterprise – indeed, the American Dream – is being overwhelmed by a tsunami of government regulations that is just a giant overreach by government.

Video 2
(Advocate Opening Statement) pro-enforcement Representative:

Common sense enforcement of our rules and laws is key to ensuring that our air and water are clean, that the food we eat is safe, that the products we buy are free from harmful toxins and other dangers, and that big banks and Wall Street institutions do not take advantage of consumers or put the economy in jeopardy.

Too often, we've seen big businesses and a wealthy few promote their profit interests above the health, safety, and welfare of ordinary people and our environment.

We see the evidence every day: BP's Deepwater Horizon explosion that killed 11 workers and wreaked havoc on the Gulf Coast economy; Volkswagen scheming to avoid air quality standards; and Wells Fargo bank employees opening millions of phony accounts to meet sales goals.

Fair and tough enforcement of regulation is critical to reducing pollution, protecting families from harmful business practices, preventing deadly mistakes that threaten entire communities, and holding Wall Street and big business accountable for their actions.

Video 3
(Opposition Opening Statement 2) anti-enforcement Representative:

Protecting consumers is important but government regulation has gone too far. Some politicians think government is the answer to every problem. Increased regulation and bureaucratic red tape hold back economic growth and destroy jobs.

America was built on the free market and free enterprise. Forcing entrepreneurs, small business owners, and citizens to submit to arbitrary government regulations puts all the power in the hands of out-of-touch bureaucrats. Today, there are regulations on top of regulations, and it continues to grow.

Every business pays $9,991 per employee to cover the cost of federal regulations. This financial burden hurts small businesses the most, and thousands have had to close their doors and layoff workers because of these financial costs.

Small businesses are the backbone of communities. But big government's excessive regulation kills jobs and raises the costs of everything. We need a government that prioritizes people and jobs over bureaucracy.

Video 4
(Advocate Opening Statement 2) pro-enforcement Representative:

Enforcement of our laws is about safeguarding Americans. And when done properly, enforcement can prevent economic catastrophe, protect our health, and save lives.

When enforcement of public protections is neglected, the results can be disastrous. In 2013, an explosion at a small fertilizer facility in West, Texas killed 15 people, including 12 first responders, and destroyed three schools, a nursing facility, and hundreds of homes.

In 2014 an estimated 10,000 gallons of toxic chemical waste leaked from a private storage facility into a West Virginia river due to lax enforcement. The leak contaminated the drinking water supply of over 300,000 residents, putting pregnant women, seniors, and children at risk. The water system hadn't been tested in over a decade, and warnings of contamination were ignored.

We need strong and improved enforcement to prevent deadly situations like these from threatening American communities. Tough but fair enforcement of our laws helps keep Americans safer from physical and economic harm.

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Video 5
(Water) pro-enforcement Representative:

When we are talking about the enforcement of regulation, we need to talk about water contamination. We've seen it in West Virginia and most recently in Flint, Michigan. It's a major problem, but it's fixable, if we do our jobs and enforce existing standards to ensure clean water for all communities.

While Flint's case appears extreme, lead-contaminated tap water is a national problem. For the last two years, EPA data show that 18 million people used water systems that had lead levels that violate current standards. These figures don't even count our schools.

And it's not just lead that threatens our water supplies. Remember, lax enforcement in 2014 led to an estimated 10,000 gallons of toxic chemical waste leaking into a West Virginia river.

Corporate lobbyists and cash have persuaded politicians to weaken the enforcement of laws protecting our waterways. We need to ensure disasters like this don't happen again. Those who violate the rules should face tough penalties, including jail time. We need to prevent the actions of a wealthy few from threatening the health of entire communities.

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Video 6
(Water) anti-enforcement Representative:

These are cherry-picked examples. The truth is, particularly in the case of Flint, Michigan, this was an isolated failure of epic proportions and bad judgment, but not a systemic problem.

Politicizing it may make for good sound bites but won't make anyone any safer. And passing a bunch of burdensome new government regulations that generate more red tape and higher costs for small businesses and consumers will only hurt our economy and cost jobs without solving the real problem.

More government isn't the answer. We need a smarter government. It was the government itself that created the crisis in Flint, Michigan. We need local answers not a federal babysitter.

We definitely don't need to put more power in the hands of the EPA, a federal agency which has over-reached at every possible turn, issuing an unprecedented number of regulations to the detriment of states, localities, small businesses, and energy consumers.

Video 7
(Jobs) anti-enforcement Representative:

Businesses, small businesses in particular, are crushed under the weight of costly bureaucratic red tape and excessive, job-killing regulations. No businesses are exempt from these onerous regulations.

President Obama's regulations have shipped jobs overseas, decimated our manufacturing base, and increased energy costs for struggling families. Recent regulations could lead to a reduction of half a million jobs according to an AFL-CIO estimate without achieving any significant reduction of global greenhouse gas emissions.

It is estimated that regulations are costing us as much as $2 trillion a year. It's time to put an end to the excessive regulation choking our recovery and stifling the job growth we need to get the economy moving again.

Video 8
(Jobs) pro-enforcement Representative:

The benefits of fair regulation far exceed the costs. Regulations that ensure things like clean water, clean air, and financial responsibility, create good jobs and put money in the pockets of working families, not just shareholders.

Investment in our water infrastructure will create hundreds of thousands of well-paid jobs, save money in the long-run, provide communities with a stable water supply, and protect our health.

And let's talk clean energy. The solar industry has created one out of every 80 jobs in the United States since the Great Recession and the industry pays well. Solar has hired more veterans than any other industry and retrained coal, oil, and gas workers who had lost their jobs.

Official estimates indicate that the economic benefits of regulations are as much as nine-and-a-half times the costs. And that's just benefits we can measure in dollars. Regulations save lives, protect our health, and help build stronger, more resilient communities.

So let's stop with the rhetoric and focus on the facts. We can hold businesses equally accountable by enforcing common-sense regulations while building our economy.

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