

I recently wrote [an assessment of the ROAD Act](#), a bill in the US Senate that would do some (mild) changes to NEPA and develop some guidelines and incentives for state and local governments to amend their zoning to facilitate more housing production. While the ROAD Act may be fine policy, one question is whether it is a good political choice, in the long run, to move abundance-related policy reform to the federal level.

Advocates for reform of state and local land-use regulation to advance housing production have had a lot of success in statehouses around the country. Their efforts have in many cases relied on important bipartisan alliances. Why not take that approach to the federal level, build bipartisan alliances there, and scale up reforms at the national level? Such an approach has the advantage in part of potentially overriding resistance in states where reforms have not had the same traction.

But there are very important differences in politics at the state versus federal level. State politics tends to be much less salient than federal politics. As a result, there is less incentive for one of the two major parties to drive polarization on a policy issue in order to obtain an advantage in the next election – a dynamic well chronicled by [political scientists at the federal level](#). That polarization runs the risk of either producing gridlock as neither party is able to obtain a sufficient majority to enact policy change, or [ping-pong governance](#) with wild swings of policy that is harmful to the very kind of investment required to drive housing production.

There's also at least some evidence that [housing remains a policy issue that voters primarily consider a local or state issue](#) – and thus voters do not necessarily polarize on the topic in a partisan matter. That facilitates construction of bipartisan coalitions, as we have seen in a range of states. But making housing a federal issue increases the likelihood of polarization, with all of its ill effects.

Nonetheless, low salience, low stakes, and bipartisan efforts to advance housing at the federal level might still work. The key here is that the reforms must remain low salience, and not incentivize any important actors to attempt to polarize the issue. The ROAD Act, with its relatively marginal changes, fits this bill.

But such an approach may not be feasible for other issues where federal action is much more central to abundance reforms, such as energy. Federal permitting – and the need to override state obstruction of transmission lines – is a key component of producing more energy in the United States in general, and more renewable energy in particular. However, while housing remains an issue on which there is at least consensus on the ultimate goal – everyone generally wants housing to be less expensive – there is no such consensus in the

field of energy, at least not any more. “All of the above” energy policies appear to have diminishing partisan appeal: Democrats generally prefer to advance renewable energy, and an important component of the environmental movement believes that cutting fossil fuel production and use is essential to addressing climate change. Republicans – or at least the Trump Administration – appear to believe that [it is better to have no energy than to advance renewable energy instead of fossil fuels](#). That kind of deep polarization on goals makes progress at the federal level on energy difficult, to say the least – at least so long as this Administration is in charge.