

August 19, 2022

WASHINGTON POLICY STRATEGY
Potomac Perspective

Brian Gardner
Chief Washington Policy Strategist
bgardner@stifel.com



With the Inflation Reduction Act (IRA) having been signed into law, here is a look at three items that might be considered in the bill's wake: changes to the domestic content rules in the IRA's climate section, an expansion of the cap on insulin prices, and implementation of Senator Manchin's side deal to streamline the energy permitting process.

In the wake of President Joe Biden signing the Inflation Reduction Act of 2022, some in Congress will look to amend parts of the IRA, expand other parts of it, and follow through on a side deal connected to the bill. Here are a few items to watch over the coming weeks.

- Electric vehicle domestic content rules – In order to qualify for tax credits for electric vehicles (EV), the buyer's income must be below caps set in the bill, the price of the car must be below certain thresholds, and the EV must meet domestic content requirements. The domestic content rules generally require that materials are sourced from North America or a country with whom the U.S. has a free trade agreement. Since some battery contents come from China and Russia, EVs might struggle to meet the IRA's requirements until capacity from qualifying countries ramps up. Look for some in Congress to push for changes to allow a phase in of the domestic content rules.
- Insulin cap – The IRA has been considered under reconciliation rules which limited the ability to include sections that were not primarily budget-driven. Caps on insulin prices in the private market (outside of Medicare) were one casualty of the reconciliation rules. Democratic leaders think there are Republicans who might support a broader cap on insulin prices and might try to push legislation outside of reconciliation to expand the cap on insulin prices.
- Energy permitting side deal – The agreement Senators Joe Manchin (D-West Virginia) and Chuck Schumer (D-New York) struck on the IRA included a separate vote on reforms to energy permitting. No date on such a vote has been announced, but it seems likely that whatever Senators Manchin and Schumer agreed to could be included in a short-term spending bill that will be considered in September or in a longer-term spending bill that could be considered during a lame duck session after the election. However, there are questions about the viability of the Manchin/Schumer deal on energy permitting. First, progressives might not support the agreement and House Democrats may not feel bound by it. Second, Senate Republicans rightly or wrongly feel burned by the IRA deal. Republicans allowed the Senate's vote on the CHIPS Act based on the belief that Senator Manchin would only support a narrow reconciliation bill (prescription drug pricing and extended subsidies for Obamacare policy premiums) rather than a more expansive bill that included tax and climate-related provisions. Just a few hours after the CHIPS Act passed, the IRA deal was announced, and Republicans think there was a bait and switch. Regardless of whether Senate Republicans are justified in their belief that Senator Manchin committed to a narrow bill, they might now be reluctant to help him pass the side deal on energy permitting. Odds favor energy permitting reform passing, but there are several potholes on the road ahead.

Subscribe To Our Podcast!

We recently created a Potomac Perspective podcast. To access a broader discussion of these and other topics, listen and download the latest episode of our [Potomac Perspective podcast](#).

DISCLAIMER

This material is for informational purposes only and is not an offer or solicitation to purchase or sell any security or instrument or to participate in any trading strategy discussed herein. The information contained is taken from sources believed to be reliable, but is not guaranteed by Stifel as to accuracy or completeness. The opinions expressed are those of the Washington Policy Strategy Group and may differ from those of other departments that produce similar material and are current as of the date of this publication and are subject to change without notice. Past performance is not necessarily a guide to future performance. Stifel does not provide accounting, tax or legal advice and clients are advised to consult with their accounting, tax or legal advisors prior to making any investment decision. Additional Information Available Upon Request. Stifel, Nicolaus & Company, Incorporated is a broker-dealer registered with the United States Securities and Exchange Commission and is a member FINRA, NYSE & SIPC. © 2022

Stifel, Nicolaus & Company, Incorporated | Member SIPC & NYSE | www.stifel.com

0822.491075.1