

Coons	Klobuchar	Schumer
Cortez Masto	Leahy	Shaheen
Duckworth	Manchin	Sinema
Durbin	Markey	Smith
Feinstein	Menendez	Stabenow
Gillibrand	Merkley	Tester
Hassan	Murphy	Udall
Heinrich	Murray	Van Hollen
Hirono	Peters	Warner
Jones	Reed	Warren
Kaine	Rosen	Whitehouse
Kelly	Sanders	Wyden
King	Schatz	

## NOT VOTING—5

Enzi	Loeffler	Rounds
Harris	Perdue	

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNITED STATES-MEXICO  
ECONOMIC PARTNERSHIP ACT

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the Senate the message to accompany H.R. 133.

The PRESIDING OFFICER. The Chair lays before the Senate the following message from the House:

The senior assistant legislative clerk read as follows:

Resolved, that the House agree to the amendment of the Senate to the bill (H.R. 133) entitled "An Act to promote economic partnership and cooperation between the United States and Mexico," with an amendment to the Senate amendment.

## MOTION TO CONCUR

Mr. MCCONNELL. I move to concur in the House amendment to the Senate amendment to H.R. 133.

The PRESIDING OFFICER. The motion is pending.

Mr. MCCONNELL. I ask unanimous consent that there be 60 minutes of debate, equally divided between the leaders or their designees; and that following the use or yielding back of that time, the Senate vote on the motion to concur without further motions or amendments in order and that 60 affirmative votes be required to adopt the motion to concur.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Dakota.

## UNANIMOUS CONSENT REQUEST

Mr. HOEVEN. North Dakota is an energy powerhouse, and our late-night producers work around the clock to ensure homes and businesses in the Midwest have affordable and reliable access to power when it is needed most. But the PTC, the wind production tax credit, is creating artificially low prices in markets for power generation.

Qualified wind projects are receiving up to 2½ cents per kilowatt hour from the taxpayer. These subsidies distort the market and are forcing out the critical coal-fired baseload generation we need to keep the lights on.

Since Congress established a wind production tax credit in 1992, wind power has been able to transition from an emerging technology to a multibillion-dollar industry that is clearly commercially viable. That is why we worked on a bipartisan agreement in 2015 to phase down and sunset the wind tax credit at the end of 2019.

We had an agreement to do the phaseout, and the wind industry agreed to it. I worked with Senator THUNE and AWEA, the American Wind Energy Association, and others to do it. And they agreed. We had an agreement. That is why we are opposed to extending the PTC and offer an amendment to strike it.

We saw what happened in California over the summer, and we can't afford to have blackouts and brownouts during the coldest of winter weather months. We, instead, must strengthen grid resiliency and reliability by keeping diverse sources of generation available at all times, including when the wind isn't blowing or the sun isn't shining. That means baseload.

Instead of extending the production tax credit, we should be working on making technologies like carbon capture and sequestration commercially viable.

The American Wind Energy Association states on its website that "growth in the wind industry is expected to remain strong when the PTC is fully phased out." Why, then, are we considering another extension of this credit when the leading trade association expects to see strong growth for the wind industry without the credit?

We need to bring back a level playing field for competition in our electricity markets and reverse the trend of taxpayers continuing to subsidize a mature, multibillion-dollar wind industry.

I urge my colleagues to support this amendment and ensure that the wind production tax credit sunsets.

With that, I would like to ask for some words from my cosponsor on the amendment, Senator CRAMER.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CRAMER. Mr. President, I rise to join my colleague Senator HOEVEN in offering this amendment and urging our colleagues to support the amendment to strip the wind protection tax credit from this massive bill.

I feel like I am living in an episode of the "Twilight Zone," and I wish I could say that I am surprised. But I am not, because here we go again. Despite numerous requests and appeals and deals with the leader and the chairman of the Finance Committee to not jam this body with a 13th extension of the wind protection tax credit, here we are with another one in front of us.

Since the credit's inception in 1992—and for a lot of those years I was a util-

ity regulator—it has always been promised that it would be temporary and would expire. Last year, we got jammed at the last minute with another extension, and, rightfully, the people back home are really, really upset with us. And it didn't sit very well with me either.

That is why, in April of this year, I led a letter to Leader MCCONNELL with colleagues from West Virginia, Wyoming, and Georgia saying it was time to finally level the playing field and get rid of this market-distorting atrocity.

In July, I led another letter to Chairman GRASSLEY with even more colleagues—from West Virginia, Wyoming, Tennessee, Oklahoma, and Pennsylvania—with the same message: Let this credit expire.

Yet here we are again. The requests have fallen on deaf ears, and we have simply been given another pill to swallow with the extension today.

Some in this town have pointed to an extension in carbon sequestration credits like 45Q and 48A, as if they were an equal trade. They are not. Despite years of pleading, the Treasury Department—yes, this Treasury Department—still has not finalized regulations. So an extension of 45Q is moot if there is no way to actually monetize the credit.

Of equal importance, financial investors have said if renewable credits are extended, they will absorb whatever tax appetite exists because they are predictable, and those deals have been done many times.

Just to reiterate, they can't even utilize 45Q because Treasury hasn't finished the regulations 3 years after Congress expanded the credit.

More to the point, while there are some great proposed carbon sequestration projects planned in North Dakota, their benefit is targeted, while in contrast, hundreds of miners and the local communities they have built are being hurt by the extension of the production tax credit. I strongly support carbon sequester projects, but to assume that the potential benefits of 45Q or 48A are equal to the unilateral harm of the wind credit is disingenuous at best.

I have heard from utilities who actually use the wind PTC, but they said they don't need it because the market is so awash with wind credits, they can't even monetize them. It is completely upside down. In fact, the PTC credits are actually taking money away from other clean energy projects like nuclear clean coal, taking emissions-free energy right off the grid.

Just a few days ago, POLITICO said this: The simplest option for tax extenders would be to let all 33 that are scheduled to expire at the end of the year to be renewed.

I have a simpler plan. Let them all expire. K Street wouldn't like it, but it would be one less section in this giant package.

One final point, in all of my time in Congress—and that has been 8 years