But we also took care to ensure that companies wouldn't be able to take advantage of the new U.S. tax system. Tax reform made signature strides to address inversions, foreign takeovers of U.S. companies, and base erosion. You will remember the outrage we had before the tax bill when there were inversions and foreign takeovers of U.S. companies, and then the result of the erosion of our tax base.

Together, the lower tax rate and new international rules have changed the way that companies structure their business operations. For example, Assurant, a global insurance company, changed its acquisition agreement so that its new parent company remains here in the United States.

Broadcom, a technology firm, announced that it would return its headquarters to the United States, and this came after tax reform.

Similarly, several energy and pharmaceutical companies that had previously moved out of the United States also made the decision to return, primarily because of tax reform.

You know, the old, old saying can apply to this tax legislation. What we wanted to accomplish was accomplished, and that old saying is: The proof is in the pudding.

So tax reform has leveled the playing field and made the United States a far more attractive place to do business—hardly the dire consequences that critics would have us believe. Now, you know critics never give up. Not to be deterred, the critics continue to look for misleading information to distort the picture.

Most recently, they pointed to the Congressional Budget Office projections as evidence that tax reform and recently issued U.S. Treasury Department regulations have provided a windfall to corporations. I hate to see the Congressional Budget Office's professional work and nonpartisan work manipulated to say something it clearly does not—and I meant to use the word ''manipulated.''

First and foremost, CBO's—that is the Congressional Budget Office—downward adjustment of expected corporate tax receipts does not imply that CBO scores particular Treasury regulations or that a regulation departs from congressional intent. Rather, CBO's adjustments broadly reflect significant economic factors and changes in government data.

In particular, CBO adjusted its projections because we now know that Bureau of Economic Analysis estimates of corporate receipts between 2016 and 2018 were actually overstated. So you have to make adjustments for that. In short, even pretax reform projections of corporate profits were really too high. So when the estimate of corporate profits is corrected, it translates into lower tax receipts, but the other side doesn't seem to acknowledge this.

CBO also took into account current economic factors, like recent trade actions and tariffs, strengthening of the U.S. dollar, and the softening of foreign economies, all of which affected expected corporate profits and ultimate tax receipts. But our critics don't seem to acknowledge that fact.

In addition, the Congressional Budget Office revised its projections to reflect everything that we are learning about implementation of the new tax rules, including regulatory guidance, new forms and instructions that go with the tax forms, and modeling improvements to better reflect updated economic projections.

CBO is only beginning to take into account how U.S. businesses are responding very positively to the new tax rules and Treasury guidance.

As many regulations are still being finalized, businesses are only starting to have needed certainty to invest in new property and equipment, to engage in mergers and acquisitions, and to enter into new business transactions.

The Congressional Budget Office's projections are also based upon preliminary data. Tax returns for the first year of the new law were filed less than 6 months ago, but the critics don't take that into consideration. The final data will not be available from the IRS until later this year, and, even then, it will still take time to fully analyze, but our critics don't recognize that.

All of these factors go into CBO's revised projections of corporate tax receipts, and none of them support the claim that Treasury provided a windfall to corporations. I think the critics ought to go the extra mile to study and understand the impact of the tax cut law.

There simply is no basis, then, for the critics' claim that the revision to CBO's estimate of corporate receipts means that Treasury has given away the store to big corporations through its regulations.

Despite the critics' relentless attacks, the benefits of tax reform are, in fact, proving out. All you have to do is look at the good economy to know that that is the case.

I am encouraged by the promising economic data that I just referred to that suggests that American workers, American families, and American businesses are seeing positive effects.

Now, we must continue to promote policies that encourage U.S. businesses to keep operations on American soil—the 2017 bill does that—increase wages—the 2017 bill did that—and reinvest foreign earnings in the United States, instead of leaving them overseas—and the 2017 tax bill does that.

I hope that my Democratic colleagues will stop criticizing the policies that have strengthened our economy and, in fact, consider how we can work together to make our tax laws work even better for American businesses and workers.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here again, as the Senate returns to regular business, to call us again to respond to the threat of climate change. Here on the floor today, things seem back to normal. The floor is empty. We have a Senator instead of a Chief Justice in the chair. The quorum calls descend between the speeches. Our new pages are figuring out the nonimpeachment routines of the floor.

Outside of the Senate, things are anything but normal. The threat of climate change worsens by the minute. Carbon emissions continue to rise globally. We hurtle toward calamity. Yet we do not act. What is stopping us? The biggest, most powerful, most motivated force preventing climate action is the fossil fuel industry, and, of course, it would be. The fossil fuel industry reaps the biggest subsidy in the history of the planet. The International Monetary Fund estimates the global subsidy for fossil fuel in the trillions of dollars every year. In the United States alone, the fossil fuel industry got a $650 billion subsidy in 2015, according to the most recent report from the IMF. That is about $2,000 from every woman, man, and child in the country.

You wrote the check, and they will spend big bucks to defend that subsidy. In fact, to maintain their grip on that subsidy, fossil fuel companies deploy lots of propaganda on the American people. They swamp us in advertising. The game isn't just to sell you more gas. It is much bigger than that.

Professor Robert Brulle of Drexel University—now in Rhode Island at Brown University—together with his coauthors, wrote a recent article, ''Corporate Promotion and Climate Change,'' looking at oil companies' carefully crafted public relations campaigns deployed way back since legendary muckraker Ida Tarbell chronicled the greed and cruelty of the Standard Oil Company. To offset their reputation for greed and nastiness, ''fossil fuel companies have attempted to burnish their image in various ways,'' Brulle and his colleagues write, ''[including] contemporary multimedia promotional campaigns . . . to project the corporation as a positive, responsible, and legitimate social actor.'' Hah.

The public began to catch on to the harms of industrial pollution in the 1960s and 1970s, and Big Oil deployed public relations campaigns to stem the public opinion tide.

One example Brulle uses is Mobil Oil, pre-ExxonMobil merger. In 1970, Mobil began buying space on the opinion page of the New York Times. They called these things advertorials—not advertisements, not editorials, but advertorials. They ran in the same section as real opinion pieces. Every Thursday, those ads promoted Mobil's image as a good corporate citizen and boosted its public policy priorities, like reduced regulation of Mobil's operations. Meanwhile, Mobil worked hard to place rosy ''earned media'' stories on airwaves and in print. ''Between 1975 and 1977 alone, Mobil representatives appeared on 365 TV shows, 211 radio shows, and gave 80 newspaper interviews,'' the study authors observe.

I will pause to note some good news, which is that, just recently, The Guardian announced that it will no longer accept advertising that props up fossil fuels like oil and coal. The Guardian urged its colleagues in the media to do the same. Acting chief executive Anna Bateson and chief revenue officer Hamish Nicklin said in a statement: ''Our decision is based on the decades-long efforts by many in that industry to prevent meaningful climate action by governments around the world.''

Welcome to our experience here in the Congress. As we have seen here in the Congress, the fossil industry companies have done that with dark money, they have done that with raw political muscle, they have done that through fake science, and they have done it through advertising campaigns. So bravo to The Guardian for shutting off that spigot of fossil fuel nonsense. I hope American media outlets follow suit.

Dr. Brulle then turns to recent decades. Using spending figures from 1986 to 2015, he and his scientists find that corporate promotional spending for the five major oil companies in the United States—ExxonMobil, Shell, ChevronTexaco, BP, and ConocoPhillips—totaled nearly $3.6 billion. That is an average of $120 million per year, and the trend is upward.

After $35 million in spending in 1996, from 1997 to 2004, annual spending rose to an average of $102 million per year. Then Brulle and his team chronicled that spending averages leaped again between 2008 and 2016 to an average of $217 million per year.

These spending figures themselves are pretty eye-popping, but what is important here is the patterns of spending. Brulle and his coauthors write:

> The bulk of this spending . . . corresponds to the increased public and congressional attention to climate change in recent years. Not unexpectedly, the major oil companies spent $315 million in 2010 alone, which is when the highest possibility of binding climate legislation occurred.

That is no coincidence. Here in this building, something was occurring that the fossil fuel industry saw as a threat.

Brulle and his colleagues continue:

> This high level of corporate promotional spending took place in response to the legislative battle from 2009 to 2010 over the House of Representatives' passage of the Waxman-Markey climate bill and the subsequent Senate consideration of the Kerry-Lieberman climate legislation.

This pattern shows Big Oil's purpose: to block climate action in Congress.

While we are talking about that period, right over there in the Supreme Court, the U.S. Chamber of Commerce and others, on behalf of their Big Oil funders, urged the Supreme Court to open up our politics to unlimited special interest spending, and the five Republican Justices on that Court, led by Chief Justice Roberts, did. From that decision forward, we have seen a disaster in the Senate on climate legislation. Before that decision, we had four or five bipartisan climate bills going in the Senate at any given time. We had a Republican candidate for President—John McCain—who campaigned for President on a strong climate platform. But right after that decision came out, right after the fossil fuel industry got handed that huge new hammer to knock any dissent on climate out of the Republican Party, they did so. We have had a lost decade since then. So it is not just their advertising, but their PR spending certainly helped the fossil fuel industry block the Waxman-Markey bill and obstructed efforts since to solve the climate crisis.

Another study by Professor Brulle just last month chronicled the full sweep of this industry's fight against climate legislation. Brulle describes how this polluting industry used ads, webs of phony front groups, bogus science, and that massive Citizens United political and PR artillery to fend off any meaningful action by Congress.

Professor Brulle breaks this process down to its component parts; one, shaping the direction of research efforts into nonthreatening areas; two, concealing information about the harmful aspects of a corporate product; three, attacking scientific findings and the scientists who produce research that threatens corporate interests; four, packaging their own carefully constructed interpretations of the science to appear legitimate; and, five, aggressive efforts at spinning the media to promulgate favorable press.

A typical example of the first tactic is oil company ads touting research and investments in alternative low-carbon fuels or renewable energy. For instance, we have seen ExxonMobil ads touting ExxonMobil's research into algae biofuels, and we have seen BP ads touting renewable energy under its label ''Beyond Petroleum.'' ''Badly Polluting'' would be a better term.

So how much do these renewable investments represent? According to Reuters, Exxon will spend roughly $30 billion this year—$30 billion this year—in capital expenditures. That is Exxon's capital budget. Investments in green technologies round to zero percent of Exxon's 2020 capital expenditures. You see the ads, but that investment, they call it, rounds to zero percent of ExxonMobil's capital investments.

BP will spend more than $15 billion in capital expenditures. Its renewable energy investments is 3 percent—3 percent—of that.

I challenge Exxon to disprove that it spent more on advertisements touting its renewable investments than it does on the renewable investments themselves. These investments are a prop for an advertising campaign, like the Potemkin villages that were built for the czar when he was taken out of Moscow to go see how happy the peasants were, and they built phony villages near the railroad with dressed-up peasants to dance and wave at the czar so he wouldn't know that revolution was coming and that fury and anger raged through his country. This is a TV version of a Potemkin village.

You go through National Airport right now, you will see the most foul nonsense up on the walls of that airport designed to convince people passing through National Airport at our Nation's Capital that these companies are responsible about climate change. People walking in forests looking natural, the phony-baloney investments designed to prop up ad campaigns, they are immense in the PR space. You can see why the Guardian will not take this poison any longer.

For decades, these ads blared these phony articles at the newspapers. Their paid-for pundits populated the talk shows, just as the fossil fuel companies polluted our atmosphere and our oceans. While they did this, they knew better than anyone what they were causing.

Back in 1982, Exxon projected that by 2019, atmospheric CO_2 would reach between 390 and 420 parts per million. Sure enough, as 2019 drew to a close, guess where carbon dioxide in our atmosphere was. It had just crossed 410 parts per million. They predicted this, and they were right. But instead of acting on what they knew, they rammed all this public relations nonsense—this has been the atmospheric carbon dioxide climb. But instead of reacting to this in a responsible way and trying to really do something with renewable fuels, they did fake renewable investments to prop up advertising campaigns to convince the public that they were on it. These are the phrases right now from the American Petroleum Institute: We are on it. Don't worry. Don't get mad. Don't get involved. We are on it.

And then they shower this body with money and with threats, powered up by Citizens United from the five Republican judges across the street there.

Not only did Big Oil correctly model this increase in CO_2 in our atmosphere that their product would cause, they also understood what this meant. They predicted the hotter temperatures. They predicted the melting ice sheets. They predicted the rising seas that Louisiana and Rhode Island are so menaced by. They predicted the massive damage that climate change would cause. Exxon knew its business was ultimately toxic to our planet. And the Exxon CEO who led them through this, the craftsman and CEO of so many of these campaigns of lies, now sits happily on the board of J.P. Morgan—J.P.

Morgan which claims to be seriously and sincerely interested in climate response. J.P. Morgan, a major investor that has been warned over and over again by now more than 30 sovereign banks of the danger of an economic crash from this carbon bubble popping—they give the man who led this campaign of lies sanctuary and fees on their board.

So what is the purpose of spending all that money? The reason Big Oil spends billions on its ads is to implant favorable perceptions of fossil fuels into what Robert Brulle calls the ''collective unconscious,'' and it does that to support its other great influence project, which is spending hundreds of millions of dollars on lobbying and on elections to control the politics of climate change and to ensure that Republicans block any serious efforts to limit carbon pollution. That is a scheme that deserves infamy, and it is a scheme being perpetrated as I speak, right now, today.

Right now, the American Petroleum Institute—the largest trade association for the oil and gas industry—has a seven-figure ad campaign called ''We're On It.'' They run ads on the internet, on TV, and on billboards—the ones I mentioned all over the DC airport—designed to fool the public and policymakers that the oil and gas industry is ''on its'' carbon and methane emissions problem. Not only are they not on it, they are cheating about even reporting their methane leaks.

This is an ad in the Washington Post's ''Energy 202'' newsletter just last week. It reads: ''Let's create climate solutions together.'' Content from the API.

Seriously? What a joke. API, the same trade association that is furiously lobbying against efforts to control methane pollution from oil and gas facilities don't even want to report it fairly. When Trump got in, job one was to take down the methane leakage reporting regulation that was coming. They are lobbying for expansion of offshore drilling, and they are lobbying against any price on carbon to offset that $650 billion subsidy, and they want to create climate solutions together? It is unreal—unreal.

Let's take a walk back into history. In 2006, here in Washington, in the U.S. district court, a judge named Gladys Kessler wrote a long, long opinion—well over 100 pages. It was a commanding opinion, and it was an opinion that was upheld afterward by the U.S. court of appeals. It was an opinion in relation to a case that had been brought by the U.S. Department of Justice.

The U.S. Department of Justice had sued the tobacco industry, and they had asked Judge Kessler to find the tobacco companies' PR efforts fraudulent and to order them to knock it off. They were committing fraud. Stop it. You are lying to people, enough already.

In her opinion, Judge Kessler found in favor of the U.S. Department of Justice. Indeed, she found the tobacco companies' fraudulent PR campaigns to have amounted to racketeering. It was a civil racketeering lawsuit. I will quote her decision here. She said the tobacco industry ''coordinated significant aspects of their public relations, scientific, legal, and marketing activity in furtherance of a shared objective—to . . . maximize industry profits by preserving and expanding the market for cigarettes through a scheme to deceive the public.''

So swap out ''cigarettes'' and plug in ''fossil fuel,'' and you have described exactly what big oil companies do: coordinate their public relations, scientific, legal, and marketing activity in furtherance of a shared objective to maximize industry profits by preserving and expanding the market for fossil fuel through a scheme to deceive the public.

What the fossil fuel industry is doing is precisely the conduct that was racketeering activity when done by the tobacco industry, but don't expect Bill Barr's Department of Justice to pursue any type of legal action like that. The fossil fuel industry is too strong, and the fix is too far in.

This is all rotten stuff. It is gross. It is banana republic behavior. It is not what we expect here in the United States of America.

It is on us. It doesn't have to be this way. We can stop it. We have the power here in the Senate to shake off the malign influence of a desperate and greedy industry and actually tackle the defining issue of our time, like Americans should.

So let's have a real debate on a real climate change bill. Let's surprise the world and pass something big and bold. Let's wake up to the threat of climate change and get ahead of its consequences before the situation becomes irretrievable.

I yield the floor.

The PRESIDING OFFICER (Ms. MCSALLY). The Senator from Alaska.

NOMINATION OF JOSHUA M. KINDRED

Ms. MURKOWSKI. Madam President, I have come to the floor this evening to speak in support of the nomination of Joshua Kindred to be a U.S. district court judge for the District of Alaska. We were able to move forward with the first step toward the confirmation of Mr. Kindred, but I just wanted to take a couple of minutes and speak as to why I believe he is well qualified to serve in this capacity and deserves to be confirmed by the Senate with, hopefully, broad bipartisan support.

I am glad and I am pleased that he has been willing to step into a new role for our State. Josh Kindred comes from Anchorage, where I am living. He currently serves as Alaska's regional solicitor for the Department of the Interior. He has been doing a good job, a strong job, for us there. Before joining the Department, Mr. Kindred served as the environmental counsel for the Alaska Oil and Gas Association, as well as an assistant district attorney and violent unit supervisor for the State of Alaska. He also served as a law clerk to Chief Justice Paul De Muniz of the Supreme Court of the State of Oregon.

One way that you know that Mr. Kindred has good judgment is that he went to the same law school I did. So it can't be all bad there. He earned his juris doctorate from Willamette University College of Law. He served as editor in chief of the Willamette Law Review and certainly demonstrated great skills and abilities at that level.

I think it is important to speak to Mr. Kindred's biographical details to illustrate that his experience is both considerable and is really relevant. It is directly relevant for this new role that he is seeking. It is that experience in a host of different areas that matters for our State, and I believe that will help him as a Federal jurist.

Mr. Kindred's experience in civil, criminal, and administrative law at both the State and the Federal levels, in both the public sector as well as the private sector, is exactly what we should be seeking in a nominee for a court of original jurisdiction, such as the U.S. District Court for the District of Alaska.

Josh Kindred is no stranger to the courtroom. He has extensive trial experience, which is, of course, important for operating in the courtroom. His background also brings a welcomed and valuable understanding of Alaska's unique Federal laws and landscape. He has extensive experience in Federal lands, mining, natural resources, oil and gas laws, and environmental laws and permitting. These are all things—all things—that are constantly litigated back home and that apply to so many of the important priorities that we have in Alaska.

You often hear me talk about the fact that Alaska is different. It is unique, and, certainly, some of our laws—many of our laws—reflect that. Not many are truly knowledgeable about ANCSA, about ANILCA. These are critically important to understand, and Mr. Kindred certainly understands them. That skill set, that operational base of knowledge on Alaska-specific laws and matters, is really vital for our State.

In addition, and perhaps of equal importance, Mr. Kindred has long called Alaska home. He was raised in our local schools. He is raising his young family there. He comes from good family. He married into good family. He is a good Alaskan. He knows Alaska. He understands our State well.

I am proud of Mr. Kindred's continued commitment to public service and his willingness to serve our State. So, again, I would urge the Senate to confirm Josh Kindred. I know that he will do well in his new role, as he has done in all his others.

I yield the floor.

The PRESIDING OFFICER. The majority leader.