

on motions to suspend the rules previously postponed.

#### GOVERNMENT CHARGE CARD ABUSE PREVENTION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (S. 300) to prevent abuse of Government charge cards, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### ACCEPTANCE OF RELINQUISHMENT OF RAILROAD RIGHT OF WAY NEAR PIKE NATIONAL FOREST, COLORADO

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 4073) to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right of way within and adjacent to Pike National Forest in El Paso County, Colorado, originally granted to the Mt. Manitou Park and Incline Railway Company pursuant to the Act of March 3, 1875, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### EXPRESSING SENSE OF CONGRESS ON GOVERNANCE OF THE INTERNET

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 127) expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

##### H. CON. RES. 127

Whereas given the importance of the Internet to the global economy, it is essential that the Internet remain stable, secure, and free from government control;

Whereas the world deserves the access to knowledge, services, commerce, and communication, the accompanying benefits to eco-

nomics development, education, and health care, and the informed discussion that is the bedrock of democratic self-government that the Internet provides;

Whereas the structure of Internet governance has profound implications for competition and trade, democratization, free expression, and access to information;

Whereas countries have obligations to protect human rights, which are advanced by online activity as well as offline activity;

Whereas the ability to innovate, develop technical capacity, grasp economic opportunities, and promote freedom of expression online is best realized in cooperation with all stakeholders;

Whereas proposals have been put forward for consideration at the 2012 World Conference on International Telecommunications that would fundamentally alter the governance and operation of the Internet;

Whereas the proposals, in international bodies such as the United Nations General Assembly, the United Nations Commission on Science and Technology for Development, and the International Telecommunication Union, would justify under international law increased government control over the Internet and would reject the current multistakeholder model that has enabled the Internet to flourish and under which the private sector, civil society, academia, and individual users play an important role in charting its direction;

Whereas the proposals would diminish the freedom of expression on the Internet in favor of government control over content, contrary to international law;

Whereas the position of the United States Government has been and is to advocate for the flow of information free from government control; and

Whereas this and past Administrations have made a strong commitment to the multistakeholder model of Internet governance and the promotion of the global benefits of the Internet: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the Assistant Secretary of Commerce for Communications and Information, in consultation with the Deputy Assistant Secretary of State and United States Coordinator for International Communications and Information Policy, should continue working to implement the position of the United States on Internet governance that clearly articulates the consistent and unequivocal policy of the United States to promote a global Internet free from government control and preserve and advance the successful multistakeholder model that governs the Internet today.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from California (Ms. ESHOO) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

##### GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on H. Con. Res. 127.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Con. Res. 127, a resolution that

opposes international regulation of the Internet.

The resolution was introduced by Mrs. BONO MACK in May and passed the House Committee on Energy and Commerce with bipartisan support from more than 60 Members, including Energy and Commerce Committee Chairman UPTON, Ranking Member WAXMAN, and my colleague on the Communications and Technology Subcommittee, Ranking Member ESHOO. I, too, am pleased to be an original cosponsor of this important resolution.

Nations from across the globe will meet in December for the World Conference on International Telecommunications in Dubai. There, the 193 member countries of the United Nations will consider whether to apply to the Internet a regulatory regime that the International Telecommunications Union created for old-fashioned telephone service, as well as whether to swallow the Internet's nongovernmental organization's structure whole and make it part of the United Nations. Neither of these are acceptable outcomes.

Now, among those that are supportive of such regulation is Russian President Vladimir Putin, who spoke positively about the idea of "establishing international control over the Internet." Some countries have even proposed regulations that would allow them to read citizens' email in the name of security. H. Con. Res. 127 rejects these proposals by taking the radical position that if the most revolutionary advance in technology, commerce, and social discourse of the last century isn't broken, well, we shouldn't be trying to fix it.

The Internet is the greatest vehicle for global progress and improvement since the printing press; and despite the current economic climate, the Internet continues to grow at an astonishing pace. Cisco estimates that by 2016 roughly 45 percent of the world's population will be Internet users, there will be more than 18.9 billion network connections, and the average speed of mobile broadband will be four times faster than it is today.

The ability of the Internet to grow at this staggering pace is due largely to the flexibility of the multi-stakeholder approach that governs the Internet today. Nongovernmental institutions now manage the Internet's core functions, with input from private and public sector participants. This structure prevents governmental or nongovernmental actors from controlling the design of the network or the content that it carries.

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Without one entity in control, the Internet has become a driver of jobs and information, business expansion, investment and, indeed, innovation. Now, moving away from that multi-stakeholder model, Mr. Speaker, would harm these abilities and would prevent the Internet from spreading prosperity and freedom.

In May, the Subcommittee on Communications and Technology invited a panel of witnesses, including Federal Communications Commissioner Robert McDowell, to discuss the effects an international regulatory regime would have on the Internet. All agreed that such a regime would not only endanger the Internet, but would endanger global development on a much larger scale. House Concurrent Resolution 127 expresses the commitment of Congress to do all that it can to keep the Internet free from an international regulatory regime.

I'm pleased to report that earlier today, Ambassador Kramer, the leader of the U.S. delegation to the WCIT, gave a speech outlining the position of the United States that seems to be embracing the very principles contained in this resolution. Now, my hope is that the administration stays on this very course.

As the U.S. delegation continues to work in advance of the WCIT, House Concurrent Resolution 127 is an excellent bipartisan demonstration of our Nation's commitment to preserve the multistakeholder governance model and to keep the Internet free from international regulation. The House Committee on Energy and Commerce strongly supports House Concurrent Resolution 127, and I urge the rest of my colleagues in the House to join us.

I reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, I yield myself such time as I may consume.

I'm very pleased to join with all of my colleagues. This is an unusual happening on the floor, and I hope there are lots of people tuned in from C-SPAN listening and watching, because it is one of the few times that we've come together in a true bipartisan, 100 percent bipartisan way.

I want to pay tribute to the gentlewoman from California, Representative BONO MACK, for her leadership on this. And I'm very, very pleased to join her and all of the members of the Energy and Commerce Committee on H. Con. Res. 127.

As I said, this is bipartisan and it's bicameral, and it demonstrates the bipartisan commitment of the Congress to preserve the open structure and multistakeholder approach that has guided the Internet over the past two decades.

The distinguished chairman of our subcommittee said that he hopes the administration will remain on this. The administration was there before the Congress took action. There is no light between the administration, the executive branch, the Senate or the House, and that's the way it should be.

Through this open and transparent structure, Mr. Speaker, the Internet has literally transformed into a platform supporting thousands of innovative companies, applications, and services, not just in the United States, but in communities around the world.

I'm very, very proud, because my congressional district is very much a

part of Silicon Valley, and many of these companies helped to launch these innovations. In fact, since 1995—this is really stunning—venture capital funds have invested approximately \$250 billion—with a B, dollars—in industries reliant on an open Internet, including \$91.8 billion on software alone.

But later this year, the World Conference on International Telecommunications—at the committee, we call it WCIT, that's a lot easier—will take up proposals that represent a really fundamental departure from the International Telecommunications Regulations adopted in 1988. Nearly 25 years ago, this treaty provided a framework for how telecommunications traffic is handled among countries, but much has changed since that time.

In addition to proposing new regulations on broadband services, several nations, including Russia, are set on asserting intergovernmental control over the Internet, leading to a balkanized Internet where censorship could become the new norm. While there's no question that nations have to work together to address challenges to the Internet's growth and stability, such as cybersecurity, online privacy, and intellectual property protection, these issues can best be addressed under the existing model.

It's absolutely essential that the United States defend the current model of Internet governance at the upcoming Dubai conference this December because the very fabric of the free and open Internet is at stake.

So I urge all of my colleagues to support this bipartisan resolution which reflects, as I said a few months ago, a viewpoint already shared by the Obama administration, the Federal Communications Commission, and the U.S. delegation to the WCIT, and unite in opposition to proposals that threaten the innovation, openness, and transparency enjoyed by Internet users around the world.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. WALDEN. I'm now honored to yield 3 minutes to the gentlewoman from California (Mrs. BONO MACK), the sponsor of this legislation, the chairman of the Commerce, Manufacturing, and Trade Subcommittee of the Energy and Commerce Committee, and a very active and effective member of the subcommittee I chair, the Communications and Technology Subcommittee, who has put a lot of time into making sure the Internet remains free and open. This is her resolution. We thank her for her work.

Mrs. BONO MACK. Mr. Speaker, I thank my dear colleague for yielding me the time.

Today, if you browse the Internet and enter the search words "Russia, China, human rights violations," you'll get back nearly 300 million hits. Think about it. Five simple words, 300 million hits.

In the future, how many of these stories will you actually be able to read if

Russian President Vladimir Putin and China's Communist Party are allowed to exert unprecedented control over Internet governance?

Here are two words you should Google: "Good luck."

As the United States prepares to take part in the World Conference on International Telecommunications in Dubai, we need to provide the delegation with a clear and unmistakable mandate: Keep the Internet free of any and all government control.

At the WCIT discussions, a new treaty on Internet governance will be debated. Most worrisome to me are efforts by some countries to provide the U.N. with extraordinary new authority over the management of the Internet.

That's bad enough. But unlike the U.N. Security Council, the U.S. will not have veto power to prevent censorship or despotic actions which could threaten freedom everywhere. To prevent this from happening, I introduced House Concurrent Resolution 127.

I want to thank my cosponsors, Energy and Commerce Committee Chairman UPTON, Ranking Member WAXMAN, Communications and Technology Subcommittee Chairman WALDEN, and my good friend and the Ranking Subcommittee Member ESHOO for their strong bipartisan support in this effort. I also want to commend Senator RUBIO for championing this critically important cause in the Senate.

In many ways, this is a first-of-its-kind referendum on the future of the Internet. For nearly a decade, the United Nations has been angling quietly to become the epicenter of Internet governance. A vote for our resolution is a vote to keep the Internet free from government control, and to prevent Russia, China, India, and other nations from succeeding in giving the U.N. unprecedented control over Web content and infrastructure.

Last year, e-commerce topped \$200 billion in the U.S. for the first time and is up 15 percent so far this year. We also continue to lead the world in online innovation, creating millions of jobs and bolstering our economy at a time when we really need it.

These proposed treaty changes, which have been going on in secret, could have a devastating impact worldwide on both freedom and economic prosperity. If this power grab is successful, I'm concerned that the next Arab Spring will instead become a Russian Winter where free speech is chilled, not encouraged, and the Internet becomes a wasteland of unfulfilled hopes, dreams, and opportunities.

We cannot let this happen. I urge my colleagues to vote "yes" for this resolution, and say "no" to online censorship by foreign governments.

Ms. ESHOO. Mr. Speaker, at this time I yield 2 minutes to the gentleman from Pennsylvania (Mr. DOYLE), a highly regarded member of our committee.

Mr. DOYLE. Mr. Speaker, I want to add my support for this important resolution to safeguard the Internet from government control.

I'd like to thank my friend and colleague, MARY BONO MACK, and my other colleagues from the Energy and Commerce Committee for introducing this measure, and I was delighted to become an original cosponsor.

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This bipartisan resolution sends a clear message to the United Nations. It tells the International Telecommunication Union, which is the U.N. arm handling telecommunications issues, not to adopt regulations that would make it easier for governments to exercise tracking, surveillance, or censorship online.

The Internet has developed into the revolutionary medium it is today because decisions over the structure of the Internet have been made by non-governmental, expert organizations. These groups invite the participation of a number of stakeholders from academia, the private sector, public interests, and other experts, and they've done a good job of avoiding a lot of the political interference.

At a time when some governments have actively been blocking users from accessing certain Web sites online, I am glad to see my colleagues unite against such repressive actions and in support of Internet freedom. Opposition to Internet censorship has always been a very bipartisan issue. I want to make that clear because sometimes this issue gets confused with other policy issues like net neutrality. Some of my colleagues have argued that net neutrality supporters somehow favor Internet censorship. I believe that users should be able to surf the Internet however they want to without being blocked from certain Web sites or services, which is what net neutrality is all about as well, so I think opposing censorship and favoring net neutrality go hand in hand.

Mr. Speaker, I am glad to see this resolution move forward in a bipartisan fashion. I urge my colleagues to support it.

Mr. WALDEN. I now yield 3 minutes to a member of the Judiciary Committee who chairs the Intellectual Property, Competition, and the Internet Subcommittee and who has been one of our terrific leaders on the Republican side on the Internet with regard to keeping it free and open, the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I would like to thank Chairman WALDEN for his great work in this area and for his leadership on this issue.

I rise to strongly support House Concurrent Resolution 127.

Mr. Speaker, several hostile countries continue to pursue a U.N. takeover of the Internet through an organization known as the International Telecommunication Union, or ITU, which is an agency within the United Nations. In fact, a push is being made to negotiate international control of the Internet in Dubai this December.

The U.N. is the absolute last entity that should have anything to do with managing the functioning of the Internet.

Currently, the private, nonprofit ICANN, which is the Internet Corporation for Assigned Names and Numbers, performs this function. While ICANN is far from perfect, having this responsibility rest with a private entity helps foster market principles and is the most efficient way to administer the Internet's domain name system and root servers.

We must remain vigilant against efforts by foreign governments to consolidate the control of the Internet into a U.N.-centered body, which would lead to free speech and access restrictions and abuses. House Concurrent Resolution 127 will show Congress' unity behind this concept, and I strongly urge my colleagues to support this important resolution.

Ms. ESHOO. Mr. Speaker, I would now like to yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY), who has been a recognized intellectual leader on telecommunications and the Internet for a long time in the Congress.

Mr. MARKEY. I thank the gentlelady for her great leadership.

I have served 36 years on the Telecommunications Subcommittee. No Member of Congress has ever done this.

I know that this is an important moment. This is an important resolution because the Internet today is indispensable to our economy, intricately linked to innovation worldwide, and initiates the free flow of ideas around the planet. It is the most successful communications and commercial medium in the history of the world.

In testimony before the Telecommunications Subcommittee in May, Vint Cerf, known to many as the "Father of the Internet," explained:

To allow any rules that would sequester this innovation and inhibit others would damage the future of the Internet dramatically.

I could not agree more. That is why I strongly support this bipartisan resolution with Ms. ESHOO, Mr. WAXMAN, Mr. WALDEN, and Ms. BONO MACK. This is why we have to be out here together. It is why we must send a bipartisan signal to the rest of the world that the United States will defend an open Internet.

The World Wide Web is essential to our economy. Companies large and small rely on the Web regardless of whether their commercial aspirations are local or global. The Internet's worldwide scope has also helped to foster community and cultural communications across the planet. We have recently witnessed the power of social media in toppling dictators and in promoting democracy across the globe.

What makes the Internet so special is the decentralized, open system that currently governs it. It is chaotic; it is impossible to control; and the multi-stakeholder process that is in place

today ensures the Internet's vibrancy will continue into the future.

Here, domestically, we have to ensure that the broadband barons don't close down this cacophony of voices which are heard and stifle innovation. But globally, yes, a number of countries, including China and Russia, are now proposing measures that strike at the core of what makes the Internet great. Their proposals could stifle innovation, cripple job growth, muzzle democratic principles. These proposed measures include bringing the Internet under intergovernmental control and imposing fees for relaying Internet traffic or termination rates for delivering Internet traffic to its end destination.

We have to resist and reject these regressive ideas. It would undermine the essence of the Internet. It would take us back to the days when, in the satellite world, it was the controlling governmental officials in countries that actually decided what ideas could go into that country and made people pay exorbitant rates in order to get access to those ideas. The Internet—this packet switch system that was invented in the United States—breaks down those barriers. We must ensure that we keep Internet freedom. Thank you all for bringing this great resolution out to the floor here this evening.

Mr. WALDEN. I reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, I would now like to yield 3 minutes to my distinguished colleague from California, Representative ZOE LOFGREN, who is respected in the House for her knowledge, not only of technology, but of all the wraparound issues that are a part of it.

Ms. ZOE LOFGREN of California. Thank you, Representative ESHOO, and thank you to all who have brought this important bipartisan resolution forward.

I remember, as the Internet was beginning to take off commercially, that we had a discussion here in the government. Again, it was bipartisan, and there was an understanding that the Commerce Department was not going to be able to run the Internet. We did something that was a risk, but it worked out pretty well. We created ICANN, which basically allowed a multistakeholder, nongovernmental organization to do the technology, to assign the names and numbers. They've not been perfect but not half bad.

What is before us today is a threat to what has been, as my colleague Mr. MARKEY has said, the greatest force in modern times for communication, for growth, for low-barrier entry into innovation—the Internet. Whether it is to tax it or to censor it for political or cultural reasons, we are aware that there are those around the world who wish to burn the Internet. We need to take a stand in this body and with our administration to say "no" to that.

Whether the attempts to control the Internet from the top down come from

an international body like the International Telecommunication Union or from international trade agreements and treaties—and there have been many threats to the Internet that have been included in our international treaties or even sometimes from our own government—we need to stand up and protect the Internet and the freedom that it embodies.

We know that the multistakeholder approach is critical to the continued robust growth of the Internet. We also know that the transparent, multistakeholder model has made the Internet such a hugely successful global platform for economic growth, human rights, and the free flow of information.

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I'm proud to stand with my colleagues on both sides of the aisle to say that America is going to stand up for freedom, we're going to stand up for technology, and we're not going to allow anyone, whatever their intentions may be, to threaten the freedom of the Internet to succeed.

I appreciate Mrs. BONO MACK's efforts in this regard, along with Ms. ESHOO's, and the entire committee. I'm proud to be a cosponsor of the measure. I look forward to its resounding success in a vote tomorrow.

Mr. WALDEN. Mr. Speaker, I continue to reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, how much time do I have?

The SPEAKER pro tempore. The gentleman from California has 8 minutes remaining.

Ms. ESHOO. I'll just make some closing comments because I don't have anyone else who is here to speak to this.

Mr. Speaker, I think that everyone who has spoken has really spoken beautifully about this issue, about what the Internet represents not only to individuals, businesses, students, how it has changed how we live, how we work, how we learn, and the jobs that it has produced, what it has done for our national economy, but also what it has done relative to exporting democracy. Of course, the United States is front and center in this.

It's a very interesting thing to me to examine those countries that are thinking another way and want to impose that thinking on the Internet. There are far more closed societies where freedom of thought, freedom of expression is not valued the way we do and other democracies do. So we need to form partnerships with other countries around the world to make sure that the democratizing effect that the Internet actually holds will continue.

I'm proud to join again with my colleagues, with Mr. WALDEN, the distinguished chairman of our subcommittee, and Representative BONO MACK, who led the effort with this resolution. I'm proud that we're all together. And I always want to thank our staff, both on

the majority and the minority side of the aisle, for the work that they do on the committee. I thank you all, and I salute you. I look forward to a unanimous vote of the United States House of Representatives in support of a free and open Internet.

With that, I yield back the balance of my time.

Mr. WALDEN. Mr. Chairman, I yield myself as much time as I may consume.

Tonight, the U.S. House of Representatives will send a clear and distinct message not only to our negotiators but to the world that we stand for liberty and we stand for freedom. When it comes to the Internet, both of those are incredibly important.

The Internet has brought us economic prosperity not here alone but all over the globe. The Internet has allowed for political discourse as never imagined by the great scholars of Greece and Rome. It's brought us intellectual capabilities. If you think about what you can do on the Internet today to research something, to evaluate something, there are an unlimited number of sources of data. It's improved our lives. It's improved our lives through our political systems. It's allowed people who thought they had no opportunity to effect change to have an overwhelming effect by communicating together. This really is a vote for liberty. It's a vote for freedom. It's a vote for free speech. It's a vote for the things that our Founders believed in when they gave us the Constitution and the Bill of Rights. It's our version of that.

We know that there are forces out there in the world that are opposed to all of those things, because they want command and control of their people, and that's not right. We have an opportunity tonight to send a clear and convincing message that we stand in America for freedom of the Internet, for no government anywhere in the globe taking charge of it and shutting it down and denying that great human spirit that we believe in so much here in America.

Mr. Speaker, I ask my colleagues to join us in a unanimous show of support. I thank my staff and the staff of Representative ESHOO and Ranking Member WAXMAN for their good work on this, and especially to my colleague from California, MARY BONO MACK, who raised this with us early on and worked closely to write a piece of legislation, that, as you can see in a sometimes otherwise controversial House, has brought us all together. That's a real tribute to Congresswoman BONO MACK's work.

With that, Mr. Speaker, I call on my colleagues to support this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 127.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALDEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

## RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS ACT OF 2012

Mr. OLSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4273) to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4273

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Resolving Environmental and Grid Reliability Conflicts Act of 2012".*

### SEC. 2. AMENDMENTS TO THE FEDERAL POWER ACT.

(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—

(1) by inserting "(1)" after "(c)"; and

(2) by adding at the end the following:

"(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.

"(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in non-compliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.

"(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.

"(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such