

few years, the population of this iconic species remains perilously small and vulnerable to yearly fluctuations;

Whereas nearly 70 native pollinator species are listed by the Federal Government as threatened or endangered, with the rusty patched bumble bee, the Powesheik skipperling, and the Dakota skipper listed within the past decade; and

Whereas declines in the health and population of native pollinators potentially pose a substantial threat to global food webs, ecological diversity, and human health: Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the designation June 16 through June 22, 2024, as “National Pollinator Week”;

(2) acknowledges the significance that all types of pollinators play in sustaining agriculture, promoting biodiversity, and maintaining the overall health of natural ecosystems;

(3) encourages the people of the United States to observe Pollinator Week with appropriate ceremonies and conservation and educational activities; and

(4) intends to—

(A) continue working to conserve native pollinator species and their various habitats; and

(B) work to improve the overall understanding of the importance of native pollinators.

SENATE RESOLUTION 748—EXPRESSING THAT THE UNITED STATES SHOULD NOT ENTER INTO ANY BILATERAL OR MULTILATERAL AGREEMENT TO PROVIDE SECURITY GUARANTEES OR LONG-TERM SECURITY ASSISTANCE TO UKRAINE

Mr. LEE (for himself and Mr. PAUL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 748

Whereas the United States has provided more than \$175,000,000,000 in assistance to Ukraine since February 2022;

Whereas Ukraine is not a member of the North Atlantic Treaty Organization nor party to a mutual defense treaty with the United States that has been ratified by the Senate;

Whereas the Joint Strategic Oversight Plan for Ukraine Response admitted in January 2023 that commingling United States funds in international organization accounts reduces oversight and transparency;

Whereas the publicly available Integrated Country Strategy for Ukraine acknowledged in August 2023 that corruption has been a historic and endemic concern in Ukraine;

Whereas the Department of Defense admitted in January 2024 that the Department of Defense was not able to complete required monitoring for 59 percent of defense articles designated for enhanced end-use monitoring, nearly \$1,700,000,000 of United States-origin equipment;

Whereas Ukrainian President Volodymyr Zelensky's presidential term expired on May 20, 2024, Ukraine has not held elections, and President Zelensky remains in office;

Whereas Ukraine has used United States provided weapons to strike targets within Russian territory since June 2024 without congressional authorization;

Whereas the United States Embassy in Kiev acknowledged in June 2024 that Ukraine is restricting freedom of movement and may prevent United States-Ukrainian citizens from leaving Ukraine;

Whereas the Biden administration has not provided Congress with a defined strategy or goals for United States engagement in Ukraine for more than 2 years;

Whereas the founders of the United States purposefully designed the power to make peace to be shared between the executive and legislative branches;

Whereas the Biden administration announced the signing of the Bilateral Security Agreement Between the United States of America and Ukraine, done at Puglia June 13, 2024 (referred to in this preamble as the “Bilateral Agreement”);

Whereas Article XI of the Bilateral Agreement expresses that any additional implementing agreements or arrangements will remain in effect even if the Bilateral Agreement is terminated, thereby bypassing Congress and tying the hands of future Presidential administrations;

Whereas the preamble of the Bilateral Agreement underscores a broad and “shared commitment to a Europe that is whole, free, and at peace”;

Whereas the preamble of the Bilateral Agreement is dismissive of United States strategic interests and patently inconsistent with the regional prioritization contained in the National Defense Strategy of the United States;

Whereas the preamble of the Bilateral Agreement emphasizes the “importance of holding Russia to account for its aggression . . . consistent with international law”;

Whereas Article II of the Bilateral Agreement states that “[i]t is the policy of the Parties . . . to deter and confront any future aggression against the territorial integrity of either Party”;

Whereas Article II of the Bilateral Agreement leaves open the possibility of United States military engagement in Ukraine;

Whereas the President must seek authorization from Congress for the use of military force for the defense of Ukraine;

Whereas Article II of the Bilateral Agreement seeks to commit the United States to “building a Ukrainian future force that maintains a credible defense and deterrence capability”, including through provision of defense articles and services;

Whereas the indefinite commitment of United States defense articles to Ukraine is inconsistent with defense industrial base capacity and jeopardizes United States military readiness;

Whereas Article II of the Bilateral Agreement expresses that the Biden administration intends to seek additional appropriations from Congress for Ukraine;

Whereas Article V of the Bilateral Agreement commits the United States to Ukraine until “its sovereignty and territorial integrity are fully restored”;

Whereas the Bilateral Agreement concerning asserts that Ukraine's future is in the North Atlantic Treaty Organization;

Whereas the Bilateral Agreement states the United States commits to “deepening partnerships between national guard and border security services” in Ukraine;

Whereas the Biden administration is neglecting to secure the southern border of the United States and is engaged in securing the borders of a foreign nation;

Whereas the Bilateral Agreement reduces access by members of the Armed Forces to professional military education and training by increasing Ukrainian attendance at Department of Defense institutions of professional military instruction;

Whereas Department of Defense institutions of professional military instruction should prioritize attendance and training for members of the Armed Forces of the United States;

Whereas the Bilateral Agreement states that the United States intends to “explore all possible avenues by which immobilized Russian sovereign assets could be made use of to support Ukraine”;

Whereas any use of Russian sovereign assets as a form of support to Ukraine is escalatory, unprecedented in peacetime, empowers Chinese and Russian alternatives to the Western global financial system, and places United States sovereign assets at risk of Russian retaliation;

Whereas Article VII of the Bilateral Agreement maintains that disputes regarding application of the Bilateral Agreement shall not be referred to “any national or international court, tribunal, or similar body, or any third party for settlement,” thereby bypassing Congress;

Whereas Article IX of the Bilateral Agreement states that it may be “extended by mutual written agreement of the parties,” thereby bypassing Congress;

Whereas the Biden administration reportedly maintains that the Bilateral Agreement is an “executive agreement”, an extraneous and unconstitutional designation carrying no legal weight absent an Act of Congress; and

Whereas the Bilateral Agreement circumvents the requirements of the Treaty Clause of section 2 of article II of the Constitution of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) expresses that—

(A) the United States should not enter into any bilateral or multilateral agreement to provide security guarantees or long-term security assistance to Ukraine; and

(B) the Bilateral Security Agreement Between the United States of America and Ukraine, done at Puglia June 13, 2024 (referred to in this resolution as the “Bilateral Agreement”), will have no force of law until it is submitted to the Senate for ratification as a treaty consistent with the requirements of the Treaty Clause of section 2 of article II of the Constitution of the United States, which requires the advice and consent of the Senate with two-thirds of Senators concurring; and

(2) does not recognize the Bilateral Agreement as a bridge to Ukraine's membership in the North Atlantic Treaty Organization.

SENATE RESOLUTION 749—RECOGNIZING JUNE 2024, AS “LGBTQ PRIDE MONTH”

Mr. BROWN (for himself, Ms. SMITH, Ms. CORTEZ MASTO, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. PADILLA, Mr. COONS, Ms. BUTLER, Mr. FETTERMAN, Mr. MERKLEY, Mr. SCHATZ, Mr. SANDERS, Mr. KAINE, Mr. KING, Mr. CARPER, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. WARNOCK, Mr. MURPHY, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. CARDIN, Ms. DUCKWORTH, Mr. LUJÁN, Mr. WELCH, Mr. DURBIN, Mr. OSSOFF, Mrs. MURRAY, Mr. CASEY, Ms. HASSAN, Mr. BOOKER, Ms. WARREN, Mr. BENNET, Ms. HIRONO, Ms. SINEMA, Mr. PETERS, Mr. VAN HOLLEN, Mr. SCHUMER, Ms. ROSEN, Mr. MARKEY, Ms. CANTWELL, Mr. HICKENLOOPER, Mr. WYDEN, Mr. REED, Mr. KELLY, Ms. STABENOW, Mr. HEINRICH, Mr. TESTER, Mr. MANCHIN, and Mr. WARNER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 749

Whereas individuals who are lesbian, gay, bisexual, transgender, and queer (referred to

in this preamble as “LGBTQ”) include individuals—

(1) from all States, territories, and the District of Columbia; and

(2) from all faiths, races, national origins, socioeconomic statuses, disability statuses, education levels, and political beliefs;

Whereas LGBTQ individuals in the United States have made, and continue to make, vital contributions to the United States and to the world in every aspect, including in the fields of education, law, health, business, science, research, economic development, architecture, fashion, sports, government, music, film, politics, technology, literature, and civil rights;

Whereas the persistent failure of Federal and State officials to collect full and accurate data on sexual orientation and gender identity causes tremendous harm to LGBTQ individuals in the United States, who remain largely invisible to the government entities entrusted with ensuring their health, safety, and well-being;

Whereas LGBTQ individuals in the United States serve, and have served, in the United States Army, Coast Guard, Navy, Air Force, Marines, and Space Force honorably and with distinction and bravery;

Whereas a decades-long Federal policy, known as the “Lavender Scare”, threatened and intimidated Federal public servants from employment due to their sexual orientation by alleging LGBTQ individuals posed a threat to national security, preventing many more from entering the workforce;

Whereas an estimated number of more than 100,000 brave service members were discharged from the Armed Forces between the beginning of World War II and 2011 because of their sexual orientation, including the discharge of more than 13,000 service members under the “Don’t Ask, Don’t Tell” policy that was in place between 1994 and 2011;

Whereas transgender people were banned from military service from at least 1960, and were not permitted to serve without restriction until 2021;

Whereas LGBTQ individuals in the United States serve, and have served, in positions in the Federal Government and State and local governments, including as members of Congress, Cabinet Secretaries, Governors, mayors, and city council members;

Whereas the demonstrators who protested on June 28, 1969, following a law enforcement raid of the Stonewall Inn, a LGBTQ club in New York City, are pioneers of the LGBTQ movement for equality;

Whereas, throughout much of the history of the United States, same-sex relationships were criminalized in many States, and many LGBTQ individuals in the United States were forced to hide their LGBTQ identities while living in secrecy and fear;

Whereas, on June 26, 2015, the Supreme Court of the United States ruled in *Obergefell v. Hodges*, 576 U.S. 644 (2015), that same-sex couples have a constitutional right to marry and acknowledged that “[n]o union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family”;

Whereas Acquired Immunodeficiency Syndrome (referred to in this preamble as “AIDS”) has disproportionately impacted LGBTQ individuals in the United States, due in part to a lack of funding and research devoted to finding effective treatments for AIDS and the Human Immunodeficiency Virus (referred to in this preamble as “HIV”) during the early stages of the HIV and AIDS epidemic;

Whereas gay and bisexual men and transgender women of color have a higher risk of contracting HIV;

Whereas people living with HIV continue to face discrimination in the United States and, in certain States, may be subject to greater criminal punishment than individuals without HIV;

Whereas the LGBTQ community maintains its unwavering commitment to ending the HIV and AIDS epidemic;

Whereas LGBTQ individuals in the United States face disparities in employment, healthcare, education, housing, and many other areas central to the pursuit of happiness in the United States;

Whereas 16 States have no explicit ban on discrimination based on sexual orientation and gender identity in the workplace;

Whereas 18 States have no explicit ban on discrimination based on sexual orientation or gender identity in housing;

Whereas 21 States have no explicit ban on discrimination based on sexual orientation or gender identity in public accommodations;

Whereas 31 States have no explicit ban on discrimination against LGBTQ individuals in credit and lending services;

Whereas, as a result of discrimination, LGBTQ youth are at increased risk of—

- (1) suicide;
- (2) homelessness;
- (3) becoming victims of bullying, violence, or human trafficking; and
- (4) developing mental health conditions, including anxiety and depression;

Whereas only 28 States and the District of Columbia have explicit policies in place to protect foster youth from discrimination based on both sexual orientation and gender identity;

Whereas LGBTQ youth of color are overrepresented in child welfare and juvenile justice systems;

Whereas the LGBTQ community has faced discrimination, inequality, and violence throughout the history of the United States;

Whereas State legislatures across the country have introduced and passed harmful legislation specifically targeting LGBTQ youth, particularly transgender youth, and their ability to obtain access to healthcare, participate in athletic activities, and learn about race, gender, and sexuality in schools;

Whereas LGBTQ individuals in the United States, in particular transgender individuals, face a disproportionately high risk of becoming victims of violent hate crimes;

Whereas members of the LGBTQ community have been targeted in acts of mass violence, including—

- (1) the Club Q nightclub shooting in Colorado Springs, Colorado, on November 19, 2022, where 5 people were killed and 25 people were wounded;
- (2) the Pulse nightclub shooting in Orlando, Florida, on June 12, 2016, where 49 people were killed and 53 people were wounded; and
- (3) the arson attack at the UpStairs Lounge in New Orleans, Louisiana, on June 24, 1973, where 32 people died;

Whereas LGBTQ individuals face persecution, violence, and death in many parts of the world, including State-sponsored violence like in Uganda, where LGBTQ people live under threat of the death penalty;

Whereas, in the several years preceding 2019, hundreds of LGBTQ individuals around the world were arrested and, in some cases, tortured or even executed because of their actual or perceived sexual orientation or gender identity in countries and territories such as Chechnya, Egypt, Indonesia, and Tanzania;

Whereas, in May 2019, Taiwan became the first place in Asia to extend marriage rights to same-sex couples;

Whereas, since June 2019, Ecuador, Costa Rica, Northern Ireland, Switzerland, Chile,

Slovenia, Andorra, Cuba, Greece, and Estonia have extended marriage rights to same-sex couples, the most recent country-wide extensions of those rights in the world;

Whereas the LGBTQ community holds Pride festivals and marches in some of the most dangerous places in the world, despite threats of violence and arrest;

Whereas, in 2009, President Barack Obama signed the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (division E of Public Law 111–84; 123 Stat. 2835) into law to protect all individuals in the United States from crimes motivated by their actual or perceived sexual orientation or gender identity;

Whereas LGBTQ individuals in the United States have fought for equal treatment, dignity, and respect;

Whereas LGBTQ individuals in the United States have achieved significant milestones, ensuring that future generations of LGBTQ individuals in the United States will enjoy a more equal and just society;

Whereas, despite being marginalized throughout the history of the United States, LGBTQ individuals in the United States continue to celebrate their identities, love, and contributions to the United States in various expressions of Pride;

Whereas, in June 2020, in *Bostock v. Clayton County*, 140 S. Ct. 1731 (2020), the Supreme Court of the United States affirmed that existing civil rights laws prohibit employment discrimination on the basis of sexual orientation and gender identity, a landmark victory for the LGBTQ community;

Whereas, in December 2022, Congress enacted the Respect for Marriage Act (Public Law 117–228; 136 Stat. 2305), which repealed the discriminatory legal definition of marriage as limited to a relationship between a man and a woman, and the discriminatory definition of a spouse as a person of the opposite sex; and

Whereas LGBTQ individuals in the United States remain determined to pursue full equality, respect, and inclusion for all individuals regardless of sexual orientation or gender identity: Now, therefore, be it

Resolved, That the Senate—

(1) supports the rights, freedoms, and equal treatment of lesbian, gay, bisexual, transgender, and queer (referred to in this resolution as “LGBTQ”) individuals in the United States and around the world;

(2) acknowledges that LGBTQ rights are human rights that are to be protected by the laws of the United States and numerous international treaties and conventions;

(3) supports efforts to ensure the equal treatment of all individuals in the United States, regardless of sexual orientation and gender identity;

(4) supports efforts to ensure that the United States remains a beacon of hope for the equal treatment of individuals around the world, including LGBTQ individuals; and

(5) encourages the celebration of June as “LGBTQ Pride Month” in order to provide a lasting opportunity for all individuals in the United States—

(A) to learn about the discrimination and inequality that the LGBTQ community endured and continues to endure; and

(B) to celebrate the contributions of the LGBTQ community throughout the history of the United States.

**SENATE RESOLUTION 750—COM-
MENDING THE PROFESSIONAL
WOMEN'S HOCKEY LEAGUE MIN-
NESOTA FOR WINNING THE IN-
AUGURAL PROFESSIONAL WOM-
EN'S HOCKEY LEAGUE TITLE ON
MAY 29, 2024**

Ms. KLOBUCHAR (for herself and Ms. SMITH) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 750

Whereas the inaugural season of the Professional Women's Hockey League (referred to in this preamble as the "PWHL") began on January 1, 2024;

Whereas 6 teams, located in Montréal, Toronto, New York, Boston, Ottawa, and Minneapolis-Saint Paul, competed in the PWHL inaugural season;

Whereas PWHL Minnesota won the 2024 Walter Cup, defeating PWHL Boston 3-0 in game 5 of the PWHL Finals;

Whereas PWHL Minnesota is the first ever PWHL champion;

Whereas PWHL Minnesota captain Kendall Coyne Schofield enters history as the first player ever to lift the Walter Cup;

Whereas PWHL Minnesota forward Taylor Heise was voted the Ilana Kloss Playoff Most Valuable Player after leading the PWHL Playoffs in goals by scoring 5 goals and finishing tied for first in points by scoring 8 points;

Whereas PWHL Minnesota goalie Nicole Hensley made 17 saves in game 5 of the PWHL Finals, marking the second time in the PWHL Finals that she prevented an opposing team from scoring any goals;

Whereas PWHL Minnesota recorded 4 playoff wins in which the opposing team failed to score any goals;

Whereas PWHL Minnesota forward Grace Zumwinkle won the inaugural Rookie of the Year Award after scoring 11 goals and 19 points in 24 games and tying for the lead in points among first-year professionals in the PWHL; and

Whereas the innovative and competitive play of the entire PWHL inspired the people of the United States and Canada and led the PWHL to set multiple attendance records throughout the 2024 season: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Professional Women's Hockey League (referred to in this resolution as the "PWHL") Minnesota for winning the inaugural PWHL title;

(2) recognizes the dedication, perseverance, hard work, and togetherness of the players, coaches, and staff in winning a championship;

(3) congratulates the fans, players, coaches, and staff of PWHL Minnesota for a great season;

(4) recognizes the dedication, perseverance, and hard work of the players, coaches, staff, and league administration in creating and operating a professional sports league; and

(5) congratulates the fans, players, coaches, and staff of the entire PWHL for a great first season.

**AMENDMENTS SUBMITTED AND
PROPOSED**

SA 2074. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 1987, to provide for the settlement of the water rights claims of the Fort Belknap Indian Community, and for other purposes.

TEXT OF AMENDMENTS

SA 2074. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 1987, to provide for the settlement of the water rights claims of the Fort Belknap Indian Community, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fort Belknap Indian Community Water Rights Settlement Act of 2024".

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; and

(B) the United States, acting as trustee for the Fort Belknap Indian Community and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Fort Belknap Indian Community and the State, to the extent that the Compact is consistent with this Act;

(3) to authorize and direct the Secretary—

(A) to execute the Compact; and

(B) to take any other actions necessary to carry out the Compact in accordance with this Act;

(4) to authorize funds necessary for the implementation of the Compact and this Act; and

(5) to authorize the exchange and transfer of certain Federal and State land.

SEC. 3. DEFINITIONS.

In this Act:

(1) **ALLOTTEE.**—The term "allottee" means an individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) **BLACKFEET TRIBE.**—The term "Blackfeet Tribe" means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

(3) **CERCLA.**—The term "CERCLA" means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(4) **COMMISSIONER.**—The term "Commissioner" means the Commissioner of Reclamation.

(5) **COMPACT.**—The term "Compact" means—

(A) the Fort Belknap-Montana water rights compact dated April 16, 2001, as contained in section 85-20-1001 of the Montana Code Annotated (2021); and

(B) any appendix (including appendix amendments), part, or amendment to the Compact that is executed to make the Compact consistent with this Act.

(6) **ENFORCEABILITY DATE.**—The term "enforceability date" means the date described in section 11(f).

(7) **FORT BELKNAP INDIAN COMMUNITY.**—The term "Fort Belknap Indian Community" means the Gros Ventre and Assiniboin Tribes of the Fort Belknap Reservation of Montana, a federally recognized Indian Tribal entity included on the list published by the Secretary pursuant to section 104(a) of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131(a)).

(8) **FORT BELKNAP INDIAN COMMUNITY COUNCIL.**—The term "Fort Belknap Indian Community Council" means the governing body of the Fort Belknap Indian Community.

(9) **FORT BELKNAP INDIAN IRRIGATION PROJECT.**—

(A) **IN GENERAL.**—The term "Fort Belknap Indian Irrigation Project" means the Federal Indian irrigation project constructed and operated by the Bureau of Indian Affairs, consisting of the Milk River unit, including—

(i) the Three Mile unit; and

(ii) the White Bear unit.

(B) **INCLUSIONS.**—The term "Fort Belknap Indian Irrigation Project" includes any addition to the Fort Belknap Indian Irrigation Project constructed pursuant to this Act, including expansion of the Fort Belknap Indian Irrigation Project, the Pumping Plant, delivery Pipe and Canal, the Fort Belknap Reservoir and Dam, and the Peoples Creek Flood Protection Project.

(10) **IMPLEMENTATION FUND.**—The term "Implementation Fund" means the Fort Belknap Indian Community Water Settlement Implementation Fund established by section 13(a).

(11) **INDIAN TRIBE.**—The term "Indian Tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(12) **LAKE ELWELL.**—The term "Lake Elwell" means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 891, chapter 665).

(13) **MALTA IRRIGATION DISTRICT.**—The term "Malta Irrigation District" means the public corporation—

(A) created on December 28, 1923, pursuant to the laws of the State relating to irrigation districts; and

(B) headquartered in Malta, Montana.

(14) **MILK RIVER.**—The term "Milk River" means the mainstem of the Milk River and each tributary of the Milk River between the headwaters of the Milk River and the confluence of the Milk River with the Missouri River, consisting of—

(A) Montana Water Court Basins 40F, 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, and 40O; and

(B) the portion of the Milk River and each tributary of the Milk River that flows through the Canadian Provinces of Alberta and Saskatchewan.

(15) **MILK RIVER PROJECT.**—

(A) **IN GENERAL.**—The term "Milk River Project" means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) **INCLUSIONS.**—The term "Milk River Project" includes—

(i) the St. Mary Unit;

(ii) the Fresno Dam and Reservoir; and

(iii) the Dodson pumping unit.

(16) **MISSOURI RIVER BASIN.**—The term "Missouri River Basin" means the hydrologic basin of the Missouri River, including tributaries.

(17) **OPERATIONS AND MAINTENANCE.**—The term "operations and maintenance" means the Bureau of Indian Affairs operations and maintenance activities related to costs described in section 171.500 of title 25, Code of Federal Regulations (or a successor regulation).

(18) **OPERATIONS, MAINTENANCE, AND REPLACEMENT.**—The term "operations, maintenance, and replacement" means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and