

**Congress of the United States**  
**Washington, DC 20515**

September 11, 2020

Warren Buffett  
Berkshire Hathaway, Inc.  
3555 Farnam Street  
Omaha, NE 68131

Dear Mr. Buffett:

We are writing with grave concerns about the status of discussions with one of your holdings, PacifiCorp, the states of California and Oregon, tribes, fishing groups, and conservationists over the removal of four dams on the Klamath River. These aging PacifiCorp dams regularly fuel massive toxic algal blooms that are harmful to human health, disrupt sacred tribal ceremonies, and significantly harm tribal resources, salmon runs and the environment. PacifiCorp has talked for more than a decade about removing these obsolete dams. Unfortunately, recent statements by PacifiCorp suggest that dam removal progress may be stalled yet again, threatening to create the negative outcome that PacifiCorp claims to be worried about: liability for cost overruns.

Our country is in the middle of a reckoning with systemic racism and injustices that continue to impact communities of color. Across the west, western water projects like PacifiCorp's have come at the expense of Indigenous peoples and tribal fisheries and resources. Today, PacifiCorp has an opportunity to bring about a more just and equitable future by confronting the historic and ongoing harm caused by PacifiCorp's obsolete dams on the Klamath River.

PacifiCorp's antiquated dams add little to the company's power portfolio, and they do not provide water for irrigation or communities. But they do contribute substantially to an increasingly dire social and environmental calamity by decimating salmon runs that tribal and fishing communities depend on – while offering no benefit to these people. These dams are currently operating on an expired 1954 federal license that lacks even the most basic tribal protections or environmental requirements for fish passage and survival. For years, PacifiCorp has worked with the states, tribal governments, and stakeholders on a plan to remove these dams. The utility collected \$200 million from ratepayers in Oregon and California, and California taxpayers committed \$250 million to the effort.

A recent Federal Energy Regulatory Commission decision required PacifiCorp to remain a co-licensee with a dam removal entity to provide expertise – a possibility acknowledged in the binding agreement for dam removal agreed to by PacifiCorp. Suddenly, PacifiCorp is balking, claiming it is concerned about cost overruns potentially impacting ratepayers in four other states. To be clear, delays of this project pose the only real possibility for increased costs. The project is fully financed, liability protections are in place, and this co-licensing situation was foreseen. Still, while PacifiCorp may think it risks nothing by initiating and prolonging new negotiations over dam removal, every moment of delay results in the worsening health of Klamath River communities and tribes.

Mr. Buffett, your company has better things to do than perpetuate injustice—especially when a consideration of the facts indicates that the dams will inevitably have to be removed for both legal and financial reasons, with or without the significant taxpayer assistance tentatively committed to the project. When you previously testified before the House of Representatives, you shared words of guidance that you use with your employees: “Lose money for the firm, and I will be understanding; lose a shred of reputation for the firm, and I will be ruthless.”<sup>[1]</sup> Pursuing any course that prolongs the presence of these obsolete dams, including through relicensing attempts, will cause significant harm to the public and tribal communities while doing nothing to enhance PacifiCorp’s reputation. Removing the dams is the only just course of action and a good business decision.

Should PacifiCorp abandon its commitment to this critical project and attempt to relicense these dams under current law, it faces huge costs to make legally required improvements, protracted litigation, and a reputation for marginalizing tribal people and communities that would rightfully tarnish Berkshire Hathaway’s good name. Rarely do social justice and economics intersect so clearly and create such an opportunity. We urge you to move PacifiCorp over the finish line with all haste and do the right thing for the people of the Klamath River, your customers, and your shareholders. The Klamath River and the people who depend on it cannot afford further delay.

Sincerely,



JARED HUFFMAN  
Member of Congress



RAÚL M. GRIJALVA  
Member of Congress



DEBRA A. HAALAND  
Member of Congress

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<sup>[1]</sup> Testimony of Warren Buffett, Salomon Inc., for a hearing of the Subcommittee on Telecommunications and Finance of the Energy and Commerce Committee of the U.S. House of Representatives, September 4, 1991. <https://www.c-span.org/video/?21029-1/securities-trading-investigation>