

House Committee on Natural Resources
Subcommittee on Water, Wildlife and Fisheries

Hearing on H.R. 2073, Defending Our Dams Act
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Testimony of Shannon F. Wheeler, Chairman
Nez Perce Tribal Executive Committee

Madame Chair and members of the Committee, thank you for the opportunity to testify regarding H.R. 2073, the Defending Our Dams Act. My name is Shannon F. Wheeler, and I serve as the Chairman of the Nez Perce Tribal Executive Committee. For decades, the Nez Perce have been working to recover wild runs of threatened and endangered salmon and steelhead in the Snake River basin on which our traditional diets, economy, and culture are centered. As the Salmon People, we have a covenant to meet the needs of the salmon and are obligated to speak the words that they cannot speak themselves.

The mainstem of the Snake River, the section that contains the four federal dams referred to in H.R. 2073, is the umbilical cord linking with the ocean 49,000 square miles of the largest, most intact, and pristine salmon and steelhead habitat remaining in the lower 48 states. This salmon country is larger than the states of New Jersey, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island combined.¹ And every single salmon and steelhead born in this country — as part of their life cycle — must travel past these four lethal dams and reservoirs on their out-migration.

Many runs of salmon that our people depended on have been extirpated or are at risk of extirpation. We cannot fish in the Wenaha or Minam — which are large rivers flowing through wilderness areas in Northeast Oregon — because there are too few fish returning. We cannot fish in Idaho's Middle Fork Salmon — which flows through the largest wilderness area in the Snake basin — because there are too few fish returning. And in Washington, we cannot fish in either Asotin Creek or the Tucannon River, which contain the only populations of Snake River spring Chinook in the state, because the runs have been extirpated or are at death's doorstep.

The Nez Perce and every other tribe that made similar treaties with the United States — the Yakama, Warm Springs, and Umatilla tribes — have rights to fish, and promises made by the United States, that are dependent on the status of the Snake basin returns. The number of wild Snake River spring Chinook governs the amount of spring harvest available to all our tribes. The number of wild Snake River steelhead governs the amount of fall Chinook that our tribes can harvest. And the number of Snake River sockeye governs the amount of sockeye that our tribes can harvest. All of the Columbia basin tribes' treaty-reserved fishing rights have been — and continue to be — diminished by the decline of these fish that are reared in and return to the Snake basin's wilderness areas.

¹ Greg McReynolds, *Soul of the Snake*, Trout Unlimited (Sept. 29, 2021), <https://www.tu.org/magazine/conservation/advocacy/soul-of-the-snake/>.

We call ourselves the Salmon People because that is what we eat, that is what we do. Our health, both physical and mental, comes from eating our foods as well as going out there, harvesting our foods, processing them, and feeding ourselves. We also want to make our people healthy again, and salmon is a big part of that effort. We invite everyone — from both sides of the aisle and from every walk of life — to come and see and feel how this impacts our tribal culture and our health. When Secretary Kennedy visited the Nez Perce Reservation last month, he witnessed how the lack of salmon impacts our people, which moved him to state:

Today that genocide continues with a food system that is actually poisoning the tribes — poisoning all Americans — disproportionately with the tribes, which have the highest diabetes rates of any demographic in our country, the highest obesity rates, the shortest lifespan, cardiac disease, autoimmune diseases, all of these diseases that were unknown even 20 years ago.²

Reserving our rights to fish in the Treaty of 1855 was essential because every tribal member, from their youth to old age, ate salmon. Around treaty time, the Nez Perce caught and consumed 300 to 564 pounds of fish per person, amounting to an annual harvest ranging from a minimum 150,000 fish to a maximum of more than 300,000 fish.

Half of the total daily caloric needs in a traditional Nez Perce diet came from salmon, with the other half coming from wildlife, roots and berries, and other resources of the area. Salmon are a healthy superfood as they are a good source of high-quality protein, omega-3 fatty acids, are low in saturated fat, rich in vitamins and minerals, and promote strong bones, brain development, and healthy immune and cardiovascular systems. These fish really made the Salmon People healthy.

As salmon suffer, so do we. There is a whole other side to this that has not been accounted for when it comes to the real-life impacts that tribal people and tribal communities are subjected to. The impacts on our health and well-being have been, and continue to be, devastating and unrelenting. We have higher rates of unemployment and poverty, higher rates of diabetes, inflammatory and cardiovascular disease, and higher rates of alcoholism and suicide.

Each year we have elders and others who pass on from this life without ever experiencing a healthy and harvestable run of salmon in the Snake basin. Whole generations of families have not been able to go to all of our fishing places and spend the quality time to fish and camp together as we once enjoyed, and to share in the kind of joy that only salmon fishing and the rivers can bring. We suffer from having little to no time available at culturally significant fishing places that are vital to providing meaningful connections to land, waters, and resources.

Bringing back the fish and our fishing is all a part of trying to restore this balance in our lives and in the watersheds.

The wild runs are indeed in dire straits, regardless of how some who are paid to defend the dams or who are not fishery managers may try to conflate Columbia basin salmon returns (see

² Eric Barker, *RFK Jr. Expresses Support for Salmon, Tribes During Visit to Nez Perce Hatchery*, Idaho Press (Jul. 25, 2025), https://www.idahopress.com/news/local/rfk-jr-expresses-support-for-salmon-tribes-during-visit-to-nez-perce-hatchery/article_6548968b-c36a-4d00-b5eb-30e487eec04f.html.

Attachment 1 – Fish Facts). Given the dire status of the fish, the Tribe is committed to solutions that meet the needs of the salmon and the needs of the Northwest. Together, the states of Washington, Oregon, and the Yakama, Umatilla, Warm Springs, and Nez Perce have advanced the Columbia Basin Restoration Initiative (CBRI) that focuses on preventing salmon extinction, addressing what it will take to breach the four lower Snake River dams while addressing all interests, and restoring salmon to healthy and abundant levels throughout the Columbia basin (see Attachment 2 – Summary of the CBRI).

The Columbia basin tribes, the Nez Perce in particular, are extremely active in restoring and rebuilding runs. Our salmon restoration programs are among the largest natural resource programs of any of the tribes in the United States. The Nez Perce have brought back Snake River fall Chinook from the brink of extinction and returned extirpated coho salmon to the basin. It is not for lack of trying that we cannot have salmon and dams. But the primary man-caused source of mortality facing Snake basin fish are the dams and reservoirs that the fish must pass on their way to the ocean. And we need to do something about that for the fish to survive.

Unfortunately, this bill takes a contrary approach that would tie the hands of federal agencies and force them to ignore the realities on the ground by prohibiting any use of funds to study alternatives and solutions to the largest source of salmon mortality and preventing adaptive and responsive dam operations that would be more beneficial to fish. In so doing, the bill would set the United States on an unambiguous course to destroy wild Snake basin salmon runs, which would abrogate our Treaty-reserved rights to fish in all our usual and accustomed fishing areas and those of the other Columbia basin treaty tribes.

We are here to emphasize that, as treaty partners, both the tribes and the United States should benefit from the bargain negotiated: neither should have to suffer from the actions of the other. This is the reciprocity that the Treaty guarantees. We have always worked to find solutions and alternatives to replace the benefits that the four lower Snake River dams provide. We too receive the same benefits that the dams provide to the region, and we know there is a much better way to provide those services — in a way that protects the fish and our rights as well. And, from our conversations with the actual irrigators, farmers, shippers, and utilities, they understand this as well.

This bill would attempt to cement the burden of the four lower Snake River dams on the backs of the salmon and the tribes. In contrast, we will be working on all the actions that salmon need, including fully funding the work that salmon need: funding that has not kept up with inflation, funding that has been reduced, and funding that, in some cases, has been zeroed out or withheld by the Administration.

In contrast to this bill, the CBRI builds on Congressman Simpson's Columbia Basin Initiative put forward four years ago that identified solutions to address all interests — the irrigators, transportation, communities, and especially BPA and the energy sector. Congressman Simpson's Initiative continues to serve as the blueprint for updating and resetting the Northwest energy supply and transportation system for the next 50 years and offers a solution that gives salmon an actual chance at real recovery. And, the CBRI builds on Senator Murray and Washington Governor Jay Inslee's Lower Snake River Dams Benefit Replacement Report.

We have used these rivers and their waters since time immemorial, and we will no longer sit idly by and be taken for granted. We are people who fish, and we need to be able to feed our people and to have a fishing economy. Going forward, we want those in Washington, D.C., the Pacific Northwest, the Bonneville Power Administration, electric utilities, and irrigators to understand that we will be speaking the truth for the salmon, ensuring the United States honors the promises it made in our Treaty, and working on true solutions that work for the salmon.

In closing, I recently attended a presentation by Supreme Court Justice Gorsuch in Yakima, Washington. I was moved by his discussion on the honor and responsibility of the United States in upholding the treaties it has made with tribes and the unfortunate history of “promises made, promises broken.” In the treaties with the United States, the citizens of this country, of our region specifically, gained the bounty of the West, but our rights and livelihoods, and our fish, have suffered. We cannot have this bill pass and serve as another example of promises made, promises broken. It is incumbent on all of us to find a better way, and I am resolutely convinced of our abilities to do so, so that the legacy of our work together as Treaty partners will be “promises made, promises kept.”