

February 5, 2025

The Honorable Lisa Murkowski
United States Senate
522 Hart Senate Office Building
Washington, DC 20510

Dear Senator Murkowski:

I am writing to respectfully request your consideration of my candidacy for the vacancies on the United States District Court for the District of Alaska. I have extensive federal litigation experience, including successfully representing the United States in high-stakes constitutional challenges, national security matters, and complex regulatory disputes in federal courts across the country over the course of Presidential administrations of both parties. As Deputy Municipal Attorney for Anchorage, I currently represent the Municipality's interests in matters before the District of Alaska and the Ninth Circuit, including cases involving critical public safety issues. My career in public service has given me tremendous pride and satisfaction in diligently applying my legal acumen to helping resolve difficult disputes with integrity and overriding respect for the rule of law. It would be an honor to continue doing so, but in a different capacity as a federal judge.

My legal career began here in Alaska clerking for then-Chief Justice Dana Fabe after graduating *magna cum laude* from Harvard Law School. That clerkship is where I learned how unique this State is in law and life. The challenges we face in Alaska have often led to novel legal solutions in the form of federal statutes governing land ownership, resource development, and Alaska Natives. In our short history as a State, we have been blessed by a world-class bench and bar that have risen to the challenges we face. As Chief Justice Roberts famously observed, and as every brief to an Outside court about an Alaska issue has noted ever since, "Alaska is different." I am thankful every day that I lucked my way into this special life, where I met my wife on a hike up Crow Pass, and this legal community, where I currently serve on the board of the Alaska chapter of the Federal Bar Association and help organize bench-bar events.

After starting our legal journey here in Alaska, my wife and I briefly moved to DC where I launched what would become nearly a decade-long career as a DOJ litigator. After just a few years in DC, we had the good sense to come back to Alaska to make our forever home and raise our children. I was given special permission during the first Trump administration, before the pandemic, to work remotely from Alaska while continuing to take the lead on some of the federal government's most sensitive, complex, and important cases, including matters of national security and administration priorities, such as cases involving state secrets, foreign intelligence surveillance, military aid to Israel, the defense of Executive Orders, and the constitutionality of major bipartisan federal statutes. That worked earned me U.S. Attorney General Jeff Sessions' John Marshall Award for Outstanding Legal Achievement and a Special Commendation for Outstanding Service. By the time I left DOJ, I had filed over 100 significant motions and briefs in 56 cases in federal courts across the country.

I am now honored to serve as Deputy Municipal Attorney for Anchorage. In that role, I directly supervise and conduct all civil litigation on behalf of the Municipality in federal and state courts, particularly the U.S. District Court for the District of Alaska. I also advise municipal leadership on an astoundingly broad range of legal matters that come before the city every day. This job gives me the opportunity to devote my legal talents to making my town better in tangible ways that my family

and I can see every day. A very significant part of my job involves navigating the intersection of federal law with state and local law in the unique context of Alaska, with our special needs and often special legal frameworks. That experience has given me valuable insight into the real-world impacts of federal judicial decisions on local businesses and communities and the importance of making sure our bench maintains the highest level of professional capability, integrity, and diligence.

Public service is a calling, and any lawyer fortunate enough to be selected from the long list of those qualified to sit on the bench should feel grateful for the opportunity to serve. I certainly would. My career as a litigator has instilled in me a reverence for the rule of law as a bedrock principle in our country and for the essential role of the judge in upholding that value. Much of the greatness of our modern world rests on the rule of law. It would be an honor to continue in the tradition of upholding the rule of law for the next generation. But I must admit I also have a more personal, less lofty interest in serving: I am a huge legal nerd. I have never met a case or legal issue, big or small, that I did not find interesting. I can think of no more interesting job than one that feeds me a constant diet of new legal and factual issues to resolve to the best of my abilities.

Thank you for your consideration. I would welcome the opportunity to discuss my qualifications with you or your staff at your convenience.

Sincerely,



Joseph F. Busa



JOSEPH F. BUSA

Summary: extensive litigation experience in federal, state, and local government, including defending Presidential administrations of both parties in federal courts across the country and defending the Municipality of Anchorage in the District of Alaska and Ninth Circuit

2024–Now MUNICIPALITY OF ANCHORAGE, Deputy Municipal Attorney

- Supervise all civil litigation in federal and state courts in which the Municipality is involved, including:
 - Port funding litigation, officer-involved shooting litigation, employment disputes, and torts
- Advise the Mayor, Municipal Manager, Departments, and Assembly on wide range of legal matters
- Manage civil legal department comprising 12 attorney and 3 staff positions, with duties including:
 - Hiring, training, assigning work, supervising, evaluating performance, budgeting, and procurement
- Special projects as assigned by Municipal Attorney (including assistance on criminal law issues)
- As ethics officer, provide Muni-wide advice on municipal ethics code
- Areas of special focus: Crime, public safety, homelessness, energy, federalism

2015–2024 U.S. DEPARTMENT OF JUSTICE, Civil Division, Appellate Staff, Attorney

- Worked in DC for three years before returning to Alaska in 2018 for family reasons
- Lead attorney for federal government on important and sensitive cases across three administrations:
 - Developed overall litigation strategy, reviewed and edited district court briefs, wrote appellate motions and briefs, presented oral arguments, and drafted cert. and merits briefs in Supreme Court
 - Presented oral argument in 28 cases in 9 courts of appeals; filed 106 appellate briefs and significant appellate motions in 56 cases in the courts of appeals and the U.S. Supreme Court
 - Significant cases:
 - *Handy v. Jones*, No. 3:24-cv-00178 (D. Alaska) (pending) (police officers shot violent suspect)
 - *American Federation of Government Employees v. Trump*, 929 F.3d 748, 752 (D.C. Cir. 2019) (Executive Orders addressing collective bargaining by federal employees)
 - *Wikimedia v. NSA*, 14 F.4th 276 (4th Cir. 2021) (state secrets and foreign intelligence surveillance)
 - *NHBPA v. Black*, 53 F.4th 869 (5th Cir. 2022), 107 F.4th 415 (5th Cir. 2024); *Alpine Securities Corp. v. FINRA*, 121 F.4th 1314 (D.C. Cir. 2024) (constitutionality of private, self-regulatory organizations)
- Advised the White House, agencies, and DOJ leadership; reviewed draft legislation, regulations, and EOs
- U.S. Attorney Jeff Sessions' John Marshall Award for Outstanding Legal Achievement in Litigation
- Special Commendation for Outstanding Service for advising on national security matters
- Areas of special focus: First Amendment, Fourth Amendment, separation of powers, administrative law, national security, surveillance, employment and labor, False Claims Act, bankruptcy, and FOIA

2014–2015 U.S. COURT OF APPEALS FOR THE FIRST CIRCUIT, Judge David Barron, Law Clerk

2013–2014 ALASKA SUPREME COURT, Chief Justice Dana Fabe, Law Clerk

2010–2013 HARVARD LAW SCHOOL, J.D., *magna cum laude*

- Harvard Law Review, Notes Editor
- Dean's Scholar in seven classes (awarded in recognition of the highest grades in each class)

2004–2008 HARVARD COLLEGE, B.A., *summa cum laude*, Social Studies

- Activities: Harvard Glee Club, Baritone; taught civics in local middle schools
- Honors: Phi Beta Kappa; Detur Book Prize

Federal Bar Association, Alaska Chapter, Board Member

Bars: AK and NY. Admitted to practice in D. Alaska, 9th Cir., U.S. Supreme Court, and 9 other federal courts