



Frank H. Murkowski
United States Senator-Alaska (1981-2002)
Governor of the State of Alaska (2002-2006)

February 28, 2011

**Honorable Judge H. Russel Holland
United States District Court
District of Alaska
Federal Building, U.S. Courthouse
222 W 7th Ave., #4
Anchorage, Alaska 99513-7564**

**The case name is: 3:91-cv-00082-HRH, [346]
Motion for Leave to File Amicus Curiae brief
filed by Richard Steiner. Oral arguments are
to be held March 4, 10 AM in the District
Court.**

Dear Judge Holland -

**In May 2006, in cooperation with the U.S.
government, my Administration presented
Exxon Mobil and the Court with a
*Comprehensive Plan for Habitat Restoration
Projects Pursuant to Reopener for Unknown
Injury*, budgeted to cost \$92,240,982, and
subsequently presented Exxon Mobil with a**

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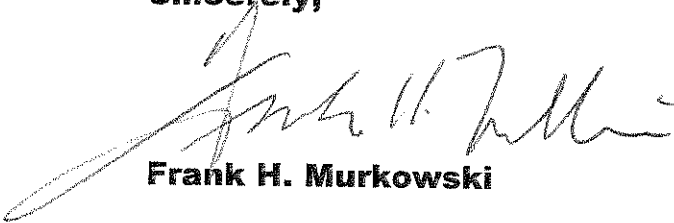
formal Demand for Payment on August 31, 2006 for the claim. At the same time, we acknowledged that scientific studies were still on going and could affect the claim.

I am aware of the Amicus Curiae brief filed by Professor Richard Steiner asking the court to order this final payment by Exxon to the State and U.S. (3:91-cv-00082-HRH, [346] Motion for Leave to File Amicus Curiae brief filed by Richard Steiner), with oral arguments scheduled for March 4, 2011.

When my Administration submitted the *Restoration Plan* and demand for payment in August 2006, our experts believed that the *Plan* would remediate the harms to populations, habitats and species, “which as a result of the oil spill, suffered a substantial loss or substantial decline.” Our experts also believed that “the injury giving rise to the loss or decline of a population or habitat could not reasonably have been anticipated in 1991.”

Accordingly, by way of this letter, I respectfully suggest that it is in the public interest that the status of the State and Federal governments' scientific studies be made public to determine what, if anything, has changed since the 2006 *Plan* was submitted. Moreover, I further suggest that it is in the public interest that the governments move from continuing study to resolution as soon as practical. Alaska deserves closure on this issue after 22 years.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank H. Murkowski". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Frank H. Murkowski