



U.S. Department of Justice

Office of the Solicitor General

Washington, D.C. 20530

April 29, 2022

Honorable Scott S. Harris
Clerk
Supreme Court of the United States
Washington, D.C. 20543

Re: State of Oklahoma v. Victor Manuel Castro-Huerta, No. 21-429

Dear Mr. Harris:

On April 27, 2022, this Court heard oral argument in the above-captioned case. This letter is submitted to correct statements made by counsel for the government at oral argument. In response to questioning, counsel stated that, following this Court's decision in *McGirt v. Oklahoma*, 140 S. Ct. 2452 (2020), the federal government sent an additional 110 attorneys to the United States Attorney's Offices in Oklahoma. See Tr. 116. While the precise numbers have varied over time, the current total of 110 additional employees and contractors includes 75 attorneys and 35 support personnel. Counsel further stated that the government has requested an additional \$40 million for attorneys, as well as 76 slots for FBI agents. See Tr. 116-117. The FY 2023 budget request includes an additional \$40.4 million for 199 attorneys and 113 support staff directed at Indian country and *McGirt* prosecutions, as well as \$22.5 million for 76 FBI positions, including 45 agents, to address post-*McGirt* law-enforcement needs in Oklahoma. See U.S. Department of Justice, *United States Attorneys: FY 2023 Congressional Justification* 45-47, <https://go.usa.gov/xuUG2>; Federal Bureau of Investigation, U.S. Department of Justice, *FY 2023 Budget Request At A Glance* 126, <https://go.usa.gov/xuUfM>. We apologize for the error.

I would appreciate it if you would circulate this letter to the Members of the Court.

Sincerely,

Elizabeth B. Prelogar
Solicitor General

cc: See Attached Service List

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