



September 19, 2011

HC-127-11

The United States Mission to the United Nations presents its compliments to the Permanent Missions to the United Nations and has the honor to bring to their attention that the exemption from taxation extended by the host country from property taxation on real property owned by foreign governments and used to house members of the staff of the Permanent Mission to the United Nations as described in the circular note of July 30, 2009 (HC-86-09) was upheld by the United States Court of Appeals for the Second Circuit on August 10, 2010. *Permanent Mission of India to the United Nations, et.al., vs. City of New York*, 618 F.3d 172 (2d Cir. 2010).

The Court of Appeals affirmed that the Department of State's June 23, 2009 exemption is a valid exercise of United States federal authority. Subsequently, on June 27, 2011, the Supreme Court of the United States denied New York City's petition for a *writ of certiorari*. In addition to exempting the properties at issue from property taxes, the host country's action invalidated existing tax liens with respect to such property.

The United States Mission to the United Nations avails itself of this opportunity to renew to the Permanent Missions to the United Nations the assurances of its highest consideration.