SUPREME COURT OF THE UNITED STATES

Syllabus

REPUBLIC OF SUDAN *v.* HARRISON ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

No. 16–1094. Argued November 7, 2018—Decided March 26, 2019

The Foreign Sovereign Immunities Act of 1976 (FSIA) generally immunizes foreign states from suit in this country unless one of several enumerated exceptions to immunity applies. 28 U. S. C. §§1604, 1605–1607. If an exception applies, the FSIA provides subject-matter jurisdiction in federal district court, §1330(a), and personal jurisdiction "where service has been made under section 1608," §1330(b).Section 1608(a) provides four methods of serving civil process, including, as relevant here, service "by any form of mail requiring a signed receipt, to be addressed and dispatched . . . to the head of the ministry of foreign affairs of the foreign state concerned," §1608(a)(3).Respondents, victims of the bombing of the USS *Cole* and their family members, sued the Republic of Sudan under the FSIA, alleging that Sudan provided material support to al Qaeda for the bombing. The court clerk, at respondents' request, addressed the service packet to Sudan's Minister of Foreign Affairs at the Sudanese Embassy in the United States and later certified that a signed receipt had been returned. After Sudan failed to appear in the litigation, the District Court entered a default judgment for respondents and subsequently issued three orders requiring banks to turn over Sudanese assets to pay the judgment. Sudan challenged those orders, arguing that the judgment was invalid for lack of personal jurisdiction, because §1608(a)(3) required that the service packet be sent to its foreign minister at his principal office in Sudan, not to the Sudanese Embassy in the United States. The Second Circuit affirmed, reasoning that the statute was silent on where the mailing must be sent and that the method chosen was consistent with the statute's language and could be reasonably expected to result in delivery to the foreign minister. 2 REPUBLIC OF SUDAN *v.* HARRISON

***Held*: Most naturally read, §1608(a)(3) requires a mailing to be sent directly to the foreign minister's office in the foreign state. Pp. 5–17.**

(a) A letter or package is "addressed" to an intended recipient when his or her name and address are placed on the outside. The noun "address" means "a residence or place of business." Webster's Third New International Dictionary 25. A foreign nation's embassy in the United States is neither the residence nor the usual place of business of that nation's foreign minister. Similarly, to "dispatch" a letter to an addressee connotes sending it directly. It is also significant that service under §1608(a)(3) requires a signed returned receipt to ensure delivery to the addressee. Pp. 5–9.

(b) Several related provisions in §1608 support this reading. Section 1608(b)(3)(B) contains similar "addressed and dispatched" language, but also says that service by its method is permissible "if reasonably calculated to give actual notice." Respondents' suggestion that §1608(a)(3) embodies a similar standard runs up against well-settled principles of statutory interpretation. See *Department of Homeland Security* v. *MacLean*, 574 U. S. ___, ___, and *Mackey* v. *Lanier Collection Agency & Service, Inc.*, 486 U. S. 825, 837. Section 1608(b)(2) expressly allows service on an agent, specifies the particular individuals who are permitted to be served as agents of the recipient, and makes clear that service on the agent may occur in the United States. Congress could have included similar terms in §1608(a)(3) had it intended the provision to operate in this manner. Section 1608(c) deems service to have occurred under all methods only when there is a strong basis for concluding that the service packet will very shortly thereafter come into the hands of a foreign official who will know what needs to be done. Under §1608(a)(3), that occurs when the person who receives it from the carrier signs for it. Interpreting §1608(a)(3) to require that a service packet be sent to a foreign minister's own office rather than to a mailroom employee in a foreign embassy better harmonizes the rules for determining when service occurs. Pp. 9–13.

(c) This reading of §1608(a)(3) avoids potential tension with the Federal Rules of Civil Procedure and the Vienna Convention on Diplomatic Relations. If mailing a service packet to a foreign state's embassy in the United States were sufficient, then it would appear to b easier to serve the foreign state than to serve a person in that foreign state under Rule 4. The natural reading of §1608(a)(3) also avoids the potential international implications arising from the State Department's position that the Convention's principle of inviolability precludes serving a foreign state by mailing process to the foreign state's embassy in the United States. Pp. 13–15.

(d) Respondents' remaining arguments are unavailing. First, their 3 Cite as: 587 U. S. ____ (2019) suggestion that §1608(a)(3) demands that service be sent "to a location that is likely to have a direct line of communication to the foreign minister" creates difficult line-drawing problems that counsel in favor of maintaining a clear, administrable rule. Second, their claim that §1608(a)(4)—which requires that process be sent to the Secretary of State in "Washington, District of Columbia"—shows that Congress did not intend §1608(a)(3) to have a similar locational requirement is outweighed by the countervailing arguments already noted. Finally, they contend that it would be unfair to throw out their judgment based on petitioner's highly technical and belatedly raised argument. But in cases with sensitive diplomatic implications, the rule of law demands adherence to strict rules, even when the equities seem to point in the opposite direction. Pp. 15–17.

802 F. 3d 399, reversed and remanded.