

## United States v. Bin Laden

126 F.Supp.2d 264 (SDNY 2000)

*Wadih El Hage*, an American citizen, lived in Nairobi, Kenya, with his family from 1994 to 1997. He was charged with being a member of an international terrorist organization called Al Qaeda (“the Base”), alleged to have planned and financed numerous violent attacks against U.S. personnel and property abroad.

***On April 4, 1997, the Attorney General authorized the collection of evidence against him. On August 21, 1997, his house was searched, without a judicial warrant.***

He argues that search was unconstitutional, in violation of the Fourth Amendment.

The government argues that the searches were conducted for foreign intelligence collection and hence are not subject to the Warrant Clause of the Fourth Amendment.

***Court supports government’s position, based on President’s authority over foreign affairs, and the “costs” of a warrant requirement.***