

EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
MAJID ABDULLA AL JOUDI, <i>et al.</i> ,))	
))	
Petitioners,))	
))	
v.))	Civil Action No. 05-CV-0301 (GK)
))	
GEORGE W. BUSH,))	
President of the United States, <i>et al.</i> ,))	
))	
Respondents.))	
_____)	

DECLARATION OF TERRY M. HENRY

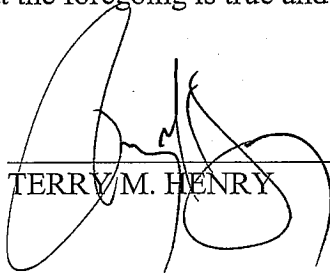
Pursuant to 28 U.S.C. § 1746, I, Terry M. Henry, hereby declare:

1. I serve as Senior Trial Counsel in the United States Department of Justice, Civil Division, Federal Programs Branch. I serve as one of the counsel for respondents in the Guantanamo Bay habeas litigation, including in this case.

2. Attached hereto is a true copy of a September 19, 2006 electronic mail communication I sent to counsel for petitioners in this case, Julia Tarver Mason. The copy also contains certain other prior electronic mail communications from or to petitioners' counsel on the subject.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 29, 2006



TERRY M. HENRY

Henry, Terry (CIV)

From: Henry, Terry (CIV)
Sent: Tuesday, September 19, 2006 12:37 PM
To: 'jmason@paulweiss.com'
Cc: Warden, Andrew (CIV); 'mflumenbaum@paulweiss.com'; 'JChing@paulweiss.com'; 'JRamsey@paulweiss.com'
Subject: RE: Al Joudi v. Bush

Julia,

We have once again conferred with our client and are unaware of any violation of Judge Kessler's October 26, 2005 Order. Guantanamo informs us that Mr. Al Joudi has not been enterally fed since his enteral feeding ended in January 2006.

Regards,

Terry M. Henry
Senior Trial Counsel
Civil Division, Federal Programs Branch
U.S. Department of Justice
Tel. 202.514.4107

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-----Original Message-----

From: jmason@paulweiss.com [mailto:jmason@paulweiss.com]
Sent: Wednesday, September 13, 2006 10:17 AM
To: Henry, Terry (CIV)
Cc: Warden, Andrew (CIV); mflumenbaum@paulweiss.com; JChing@paulweiss.com; JRamsey@paulweiss.com
Subject: Re: Al Joudi v. Bush

Terry -- our notes have been cleared. Mr. Al Joudi told us that he was force-fed through tubes in his nose (twice a day, often in the restraint chair) from some time in January 2006 through some time in July or August of 2006. We were not provided with any medical records during this time. We intend to raise this with the Court, so please get back to us right away if there is some reasonable explanation for your clients' apparent failure to comply with Judge Kessler's order.

Thanks.

Julia Tarver Mason
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas | New York, NY 10019-6064
(212) 373-3029 (Phone) | (212) 492-0029 (Fax) www.paulweiss.com

----- Original Message -----

From: "Terry.Henry@usdoj.gov" [Terry.Henry@usdoj.gov]
Sent: 09/12/2006 07:49 AM
To: Julia Mason
Cc: Martin Flumenbaum; Jennifer Ching; Jana Ramsey; "Andrew.Warden@usdoj.gov" <Andrew.Warden@usdoj.gov>
Subject: RE: Al Joudi v. Bush

Julia,

We have conferred with our client and are unaware of any violation of Judge Kessler's October 26, 2005 Order. Our information is that none of your clients subject to the Order have been enterally fed since enteral feeding of Mr. Al Shehri ended in January 2006. If you have specific details to the contrary, please let me know.

Regards,

Terry M. Henry
Senior Trial Counsel
Civil Division, Federal Programs Branch
U.S. Department of Justice
Tel. 202.514.4107

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-----Original Message-----

From: jmason@paulweiss.com [mailto:jmason@paulweiss.com]
Sent: Monday, September 11, 2006 11:15 AM
To: Henry, Terry (CIV); Nichols, Carl (CIV); Warden, Andrew (CIV)
Cc: mflumenbaum@paulweiss.com; JChing@paulweiss.com; JRamsey@paulweiss.com
Subject: Al Joudi v. Bush

Gentlemen,

We have reason to believe based on information we obtained from Petitioner Majid Al Joudi on Friday, September 8, 2006 that Respondents are in violation of Judge Kessler's October 26, 2005 order (the "Order") requiring Respondents to provide weekly medical records for those Petitioners subjected to forced feeding.

Unless a reasonable explanation can be provided for Respondents' apparent failure to comply with the explicit terms of the Order, we intend to raise this issue with Judge Kessler.

Thank you for your attention to this urgent matter.

Julia Tarver Mason | Partner
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas | New York, NY 10019-6064
(212) 373-3029 (Direct Phone) | (212) 492-0029 (Direct Fax) jmason@paulweiss.com |
www.paulweiss.com

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Tracking:

Recipient
'jmason@paulweiss.com'
Warden, Andrew (CIV)
'mflumenbaum@paulweiss.com'

Read

Read: 09/19/2006 12:54 PM

Recipient

Read

'JChing@paulweiss.com'

'JRamsey@paulweiss.com'