

**CONGREGATION B'NAI ISRAEL
SANCTUARY CONGREGATION
RESOURCE BINDER**

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Congregation B'nai Israel Immigration Sanctuary

Roles and Rapid Response Plan

Objectives

- **Speak out** and stand against unjust and unethical treatment of immigrants. “Treat thy neighbor as thyself”.
- Provide sanctuary to undocumented individual(s), under immediate threat of deportation, help keep families together, and **amplify the moral imperative** to stop deportations. “Strangers in a Strange Land.”
- Support **Ethical Immigration Policy**.
- **Prepare for, practice, and implement** a variety of actions that achieve the first three goals.

Guiding Principles

- We are here to provide housing and sanctuary .
- We do not represent the immigrant or their family.
- The immigrant or their family retains their own legal representative and works with their sponsor i.e., SacACT or PICO to address their specific immigration situation.
- Funds for this initiative will come from a special immigrant fund, or the Rabbi's discretionary fund.

Guiding Principles

continued

- Congregation is not in charge of negotiating media requests with immigrant or family. If the media requests through the Congregation, they are to be referred to ACT or PICO.
- We will be mindful of our nonprofit status

Process For Deciding to Accept an Immigrant Guest to Sanctuary

- Is prompted from a referral by PICO or Sacramento ACT to Congregation B'nai Israel.
- Temple Leaders vets candidate
 - President, Immediate Past President, Rabbi and two designated congregants appointed at the discretion of the Rabbi, conduct an assessment and determine whether to house a specific individual or family.
 - In arriving at a decision, the group consults with General Counsel and Outside Counsel/Immigration Attorney
- Final decision is subject to immigrant guest(s) agreeing to Temple requirements.

Legal Documents

- Immigrant Intake Form
- Congregation-Immigrant Agreements
- Release of Liability
- Documentation of Immigrant Having Their Own Legal Counsel
- Letter from Congregation to ICE

Sanctuary Activation

- Begins when the immigrant individual or family has been formally accepted by the Vetting Group.
- The President, Rabbi or their designee notifies Key Sanctuary leaders of the acceptance and start date.
- Key Sanctuary leaders include:
 - Immigrant Individual/Family Housing Committee Leader
 - Communications Leader
 - Legal Committee Leader
 - Emergency Response Leader

President's Role

- President, on behalf of Congregation, is responsible for **policy, finances, and non/ religious administration of the initiative.**
 - Co-leads vetting process (with Rabbi).
 - Authorizes spending.
 - Notifies ICE and Homeland Security of Active Sanctuary (in consultation with General Counsel, outside counsel).
 - Makes policy decisions (in consultation with others as appropriate).
 - Keeps Board apprised.
 - Confers with General Counsel and Outside Counsel representing temple as a sanctuary.
 - Resolves escalated issues raised by Sanctuary leaders and troubleshoots where needed.
 - Makes sure we adhere to our guiding principles.
 - Authorizes training for staff and emergency response team by special counsel.

Joint Role Rabbi and President

- Publicly announces activation of sanctuary
- **Updates** and Issues Calls to Action to Temple **Membership.**
- Reaches out to other Congregations for financial or other support to Immigrant Fund.
- Serves as **Spokespeople** in a Rapid Response Situation.
- **Contacts and Confers with Elected Officials** as May Be Appropriate.
- Performs or delegates other **community relations** of general nature.

Legal Role

- General Counsel, with support of outside immigration counsel, is responsible for **minimizing Congregation risk and liability, and ensures activities do not run afoul of law or our nonprofit status.**
 - Contributes to assessing suitability of candidate for sanctuary
 - Reviews and advises regarding waivers and releases to be executed by the granted sanctuary person(s).
 - Retains copies or secures originals of all required documents.
 - Establishes protocols and procedures to be used in event of an enforcement action.
 - Conducts information session(s) as needed for CBI leadership and CBI Staff.
 - Provides advice on proposed published materials, public announcements and other issues as may arise.
 - Consults with Congregational legal volunteers as needed.
 - Assigns RAID legal monitors, in coordination with Emergency Response Leader.

Immigration Committee

Leader Role

- The Chair of the Immigration Committee is responsible for all aspects of the physical sanctuary and for meeting the daily living needs of our immigrant guests.
- These include:
 - Appointing and assisting an individual or group to set up and maintain multipurpose room with appropriate provisions, including furniture, window coverings, cooking supplies, linens, entertainment, etc. and manage ongoing needs.
 - Appointing and assisting a leader to organize food deliveries.
 - Appointing and assisting a Transportation Leader(s) to transport individuals to appointments.
 - Appointing and assisting a Sanctuary host leader, ensuring a nightly host for each night the sanctuary is active.
 - Arranges for native language speakers (creating a roster and calling upon them when needed).
 - Ensures there is an emotional/or cultural resource if needed.

Communications

Leader Role

- Supports Rabbi and President’s efforts to communicate widely.
- Prepares recommended media materials.
- Creates 30 signs for use in a rapid response public event using biblical quotes .
- Sets up press conferences and media interviews for Rabbi and President where needed.
- Writes, gains approval and distributes press advisories and press statements
- Develops media packet:
 - Profile of immigrant guest(s)
 - Fact Sheet describing Temple Role and Rationale
 - Statement by Rabbi and President that speaks to the moral imperative
 - Validator Comments from ACT, Jewish Federation, PICO, Elected Officials such as Mayor, Congressional Representatives, etc.
- Sets up media call list.
- Distributes “instant” media advisories (calls, twitters, emails).
- Assists with Rapid Response Event Planning and Execution.
- Documents media coverage and re-distributes .

Emergency Response

Leader Role

- Once a declaration of sanctuary is made, this leader should help develop and maintain a list of all congregation and community members ready to show up in case of an emergency situation with ICE or other law enforcement agents. (Known as the Rapid Response Network.)
- This leader hosts trainings, in concert with outside counsel.
- They will be prepared for how to videotape, observe, sing, pray and and otherwise show public support.

Prime Scenario: Rapid Response Arising from a RAID

- The President and Rabbi Is Notified that a Raid is Imminent
- After confirming, President and Rabbi Issue a “Sanctuary Emergency” Text Alert
 - Texts all members of the Sanctuary group and outside counsel to come to the site or provide other instructions depending on what is needed.
 - Texts immigrant sponsor (ACT, PICO) or other immigration advocate providing support or accompaniment to victim (Directs Communications Leaders to Notify the Media ASAP, signs off on media kit if appropriate.
 - Decides if this warrants a vigil, rally, or other public demonstration of support.
 - In event it does, works with Emergency Response Network Leader to activate the network.
 - Works with Emergency Response Leader and Communications Leader, Inside and Outside Counsel, and others to organize the demonstration of support either at the temple grounds, the City Jail, or elsewhere.

RAID

continued

- General Counsel, in advance, will line up a pool of First Responder Legal monitors who can be called out to the site immediately.
- Legal Monitors document what is being said, time and location, number of agents, and collect documents.
- Legal Monitors describe any violent actions/and or racist, xenophobic, condescending words, what is happening.
- Communications Leader arranges for instant notification of media to come to site.
- A press briefing is arranged and led by Rabbi and President.
- Upon approval by President and Rabbi, the Congregation leads a vigil at temple grounds, or outside City Jail (if the person is detained there) or at the US Courthouse to show support of the victims.

Demonstration Ideas

- A Community Prayer Vigil
- A Solidarity March
- A Friday Night Shabbat Special Service In Solidarity with Victims
- A Demonstration in Front of City Jail, or other public building (US Courthouse) inviting prominent elected federal, state and local officials

Alternative Scenario

- This could be a case in which an order of deportation is announced by ICE, but they will take up to a week before individual or family has to show up somewhere to be detained.
- In this event, Rabbi and President and Key Leaders Should Meet to Develop Messaging, Organize Community Outreach and Support.
- Consider such options as holding a special prayer vigil, demonstration in front of a public facility, or perform other acts in concert with our religious values.

Perform Lessons Learned Exercise

- Regroup and debrief
- Each Leader should prepare a summary of their work, attach any pertinent documents, forms, or templates, and prepare 5 tips for others in performing that role.
- President holds workshop to share lessons learned
- A document is prepared for internal use.
- Another document is prepared to serve as a case study or model that could be used other congregations interested in becoming a sanctuary.

Q & As

Does the family have a single point of contact?

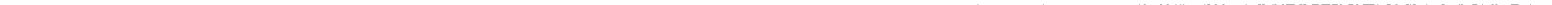
They will work with our Immigration Committee Leader on all aspects of their housing.

If ICE shows up, what is the Congregation's role?

President and Rabbi, in consultation with our legal experts, will make a decision on whether to allow ICE on the premises. If ICE has a judicial warrant, we will allow them on campus. If ICE has an administrative warrant, we may not.

If a Media person calls and wants to interview the individual, how does the temple handle that?

We don't have any role in making that decision. It is between the individual or family on advice of their attorney. If we are called and asked by the media for permission, we will refer them to ACT, who is their sponsor.



6.

US. Department of Justice
Immigration and Naturalization Service

Warrant of Removal/Deportation

File No: _____

Date: _____

To any officer of the United States Immigration and Naturalization Service:

_____ (Full name of alien)

who entered the United States at _____ on _____
(Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

- an immigration judge in exclusion, deportation, or removal proceedings
- a district director or a district director's designated official
- the Board of Immigration Appeals
- a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:
Section 241(a)(5) of the Immigration and Nationality Act(Act), as amended.

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Attorney General under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of the appropriation. "Salaries and Expenses Immigration and Naturalization Service 2002," including the expense of an attendant if necessary.

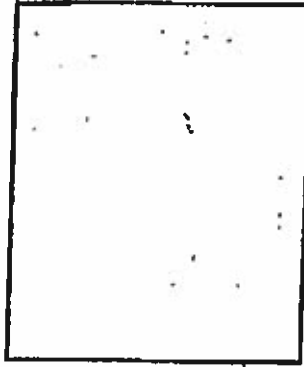
(Signature of INS official)

(Title of INS official)

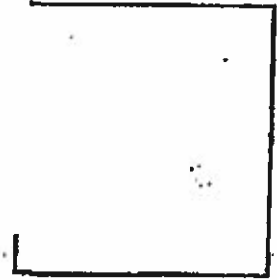
(Date and office location)

To be completed by Service officer executing the warrant:
Name of alien being removed: _____

Port, date, and manner of removal: _____



Photograph of alien removed



Right index fingerprint of alien removed

(Signature of alien being fingerprinted)

(Signature and title of INS official taking print)

Departure witnessed by: _____

(Signature and title of INS official)

If actual departure is not witnessed, fully identify source or means of verification of departure:

If self-removal (self-deportation), pursuant to 8 CFR 241.7, check here.

Departure Verified by: _____

(Signature and title of INS official)

7.

Policy Number: 10029.2
FEA Number: 306-112-002b

Office of the Director

U.S. Department of Homeland Security
500 12th Street, SW
Washington, D.C. 20536



U.S. Immigration
and Customs
Enforcement

OCT 24 2011

MEMORANDUM FOR: Field Office Directors
Special Agents in Charge
Chief Counsel

FROM: John Morton
Director

Handwritten signature of John Morton, Director.

SUBJECT: Enforcement Actions at or Focused on Sensitive Locations

Purpose

This memorandum sets forth Immigration and Customs Enforcement (ICE) policy regarding certain enforcement actions by ICE officers and agents at or focused on sensitive locations. This policy is designed to ensure that these enforcement actions do not occur at nor are focused on sensitive locations such as schools and churches unless (a) exigent circumstances exist, (b) other law enforcement actions have led officers to a sensitive location as described in the "Exceptions to the General Rule" section of this policy memorandum, or (c) prior approval is obtained. This policy supersedes all prior agency policy on this subject.¹

Definitions

The enforcement actions covered by this policy are (1) arrests; (2) interviews; (3) searches; and (4) for purposes of immigration enforcement only, surveillance. Actions not covered by this policy include actions such as obtaining records, documents and similar materials from officials or employees, providing notice to officials or employees, serving subpoenas, engaging in Student and Exchange Visitor Program (SEVP) compliance and certification visits, or participating in official functions or community meetings.

The sensitive locations covered by this policy include, but are not limited to, the following:

¹ Memorandum from Julie L. Myers, Assistant Secretary, U.S. Immigration and Customs Enforcement, "Field Guidance on Enforcement Actions or Investigative Activities At or Near Sensitive Community Locations" 10029.1 (July 3, 2008); Memorandum from Marcy M. Forman, Director, Office of Investigations, "Enforcement Actions at Schools" (December 26, 2007); Memorandum from James A. Puleo, Immigration and Naturalization Service (INS) Acting Associate Commissioner, "Enforcement Activities at Schools, Places of Worship, or at funerals or other religious ceremonies" HQ 807-P (May 17, 1993). This policy does not supersede the requirements regarding arrests at sensitive locations put forth in the Violence Against Women Act, see Memorandum from John P. Torres, Director Office of Detention and Removal Operations and Marcy M. Forman, Director, Office of Investigations, "Interim Guidance Relating to Officer Procedure Following Enactment of VAWA 2005 (January 22, 2007).

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- schools (including pre-schools, primary schools, secondary schools, post-secondary schools up to and including colleges and universities, and other institutions of learning such as vocational or trade schools);
- hospitals;
- churches, synagogues, mosques or other institutions of worship, such as buildings rented for the purpose of religious services;
- the site of a funeral, wedding, or other public religious ceremony; and
- a site during the occurrence of a public demonstration, such as a march, rally or parade.

This is not an exclusive list, and ICE officers and agents shall consult with their supervisors if the location of a planned enforcement operation could reasonably be viewed as being at or near a sensitive location. Supervisors should take extra care when assessing whether a planned enforcement action could reasonably be viewed as causing significant disruption to the normal operations of the sensitive location. ICE employees should also exercise caution. For example, particular care should be exercised with any organization assisting children, pregnant women, victims of crime or abuse, or individuals with significant mental or physical disabilities.

Agency Policy

General Rule

Any planned enforcement action at or focused on a sensitive location covered by this policy must have prior approval of one of the following officials: the Assistant Director of Operations, Homeland Security Investigations (HSI); the Executive Associate Director (EAD) of HSI; the Assistant Director for Field Operations, Enforcement and Removal Operations (ERO); or the EAD of ERO. This includes planned enforcement actions at or focused on a sensitive location which is part of a joint case led by another law enforcement agency. ICE will give special consideration to requests for enforcement actions at or near sensitive locations if the only known address of a target is at or near a sensitive location (e.g., a target's only known address is next to a church or across the street from a school).

Exceptions to the General Rule

This policy is meant to ensure that ICE officers and agents exercise sound judgment when enforcing federal law at or focused on sensitive locations and make substantial efforts to avoid unnecessarily alarming local communities. The policy is not intended to categorically prohibit lawful enforcement operations when there is an immediate need for enforcement action as outlined below. ICE officers and agents may carry out an enforcement action covered by this policy without prior approval from headquarters when one of the following exigent circumstances exists:

- the enforcement action involves a national security or terrorism matter;
- there is an imminent risk of death, violence, or physical harm to any person or property;

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- the enforcement action involves the immediate arrest or pursuit of a dangerous felon, terrorist suspect, or any other individual(s) that present an imminent danger to public safety; or
- there is an imminent risk of destruction of evidence material to an ongoing criminal case.

When proceeding with an enforcement action under these extraordinary circumstances, officers and agents must conduct themselves as discretely as possible, consistent with officer and public safety, and make every effort to limit the time at or focused on the sensitive location.

If, in the course of a planned or unplanned enforcement action that is not initiated at or focused on a sensitive location, ICE officers or agents are subsequently led to or near a sensitive location, barring an exigent need for an enforcement action, as provided above, such officers or agents must conduct themselves in a discrete manner, maintain surveillance if no threat to officer safety exists and immediately consult their supervisor prior to taking other enforcement action(s).

Dissemination

Each Field Office Director, Special Agent in Charge, and Chief Counsel shall ensure that the employees under his or her supervision receive a copy of this policy and adhere to its provisions.

Training

Each Field Office Director, Special Agent in Charge, and Chief Counsel shall ensure that the employees under his or her supervision are trained (both online and in-person/classroom) annually on enforcement actions at or focused on sensitive locations.

No Private Right of Action

Nothing in this memorandum is intended to and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.

This memorandum provides management guidance to ICE officers exercising discretionary law enforcement functions, and does not affect the statutory authority of ICE officers and agents, nor is it intended to condone violations of federal law at sensitive locations.



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8.



Office of the Attorney General
Washington, D. C. 20530

April 11, 2017

MEMORANDUM FOR ALL FEDERAL PROSECUTORS

FROM: THE ATTORNEY GENERAL

SUBJECT: Renewed Commitment to Criminal Immigration Enforcement

Charging Practices

It is a high priority of the Department of Justice to establish lawfulness in our immigration system. While dramatic progress has been made at the border in recent months, much remains to be done. It is critical that our work focus on criminal cases that will further reduce illegality. Consistent and vigorous enforcement of key laws will disrupt organizations and deter unlawful conduct. I ask that you increase your efforts in this area making the following immigration offenses higher priorities. Further guidance and support of executing this priority—including an updated memorandum on charging for all criminal cases—will be forthcoming.

8 U.S.C. § 1324 (“[b]ringing in and harboring certain aliens”) and related offenses: Each District shall consider for prosecution any case involving the unlawful transportation or harboring of aliens, or any other conduct proscribed pursuant to 8 U.S.C. § 1324. If a determination must be made regarding use of finite resources, a priority should be given to those who are bringing in three or more aliens into the United States and those who are transporting or harboring three or more aliens, as well as offenses where there are aggravating circumstances, such as those involving serious bodily injury, physical or sexual assault, or the death of any person. Priority should also be given to prosecuting any offenses under section 1327 (“aiding or assisting criminal aliens to enter”) and section 1328 (“importation of aliens for immoral purposes”).

8 U.S.C. § 1325 (“[i]mproper entry by alien”): Each District shall consider for felony prosecution under 8 U.S.C. § 1325 any case where a defendant has two or more prior misdemeanor improper entry convictions or one or more prior misdemeanor improper entry convictions with aggravating circumstances, such as a felony criminal history, gang membership or affiliation, multiple prior voluntary returns, prior removal, deportation or exclusion, or other aggravating circumstances. Each District shall also consider for felony prosecution under 8 U.S.C. § 1325 any case where a defendant knowingly enters into a marriage for the purpose of evading any provision of the immigration laws.

Regarding misdemeanor violations of 8 U.S.C. § 1325, I ask that each U.S. Attorney’s Office on the Southwest Border (i.e., District of Arizona, District of New Mexico, Southern

District of California, Southern District of Texas, and Western District of Texas) work with the U.S. Department of Homeland Security and any other appropriate agency to develop a set of guidelines for prosecuting such violations. These guidelines should aim to accomplish the goal of deterring first-time improper entrants. Each District should submit its guidelines to the Office of the Deputy Attorney General by April 24, 2017.

8 U.S.C. § 1326 (“[r]eentry of removed aliens”): Each District shall consider prosecution of 8 U.S.C. § 1326 for each illegal reentrant. Priority, however, must be given to defendants who have been convicted of an aggravated felony, have any prior criminal history indicating the defendant poses a danger to public safety, have one or more administrative or criminal immigration violations, gang membership or affiliation, or where other aggravating circumstances are present.

18 U.S.C. § 1028A (“[a]ggravated identity theft”) & 18 U.S.C. § 1546 (“[f]raud and misuse of visas, permits, and other documents”): Each District shall consider, to the extent practicable, prosecution of both aggravated identity theft under Section 1028A and document fraud under Section 1546 in relation to the immigration offenses listed above.

18 U.S.C. § 111 (“[a]ssaulting, resisting, or impeding” officers): Each District shall consider, to the extent practicable, prosecution of assault, resisting, or impeding officers under Section 111, while they are engaging in the performance of their official duties in the administrative and criminal immigration context. More information on this will follow.

Sentencing Practices

At the sentencing phase of each federal case, prosecutors should seek, to the extent practicable, judicial orders of removal and a term of supervised release that is consistent with the factors set forth in 18 U.S.C. § 3553(a). I know many of you are already seeking these measures from District Courts, and I ask that you continue this effort to achieve the results consistent with this guidance.

Border Security Coordinators

In furtherance of these objectives, I also direct every District to designate a Border Security Coordinator (“Coordinator”) by close of business on April 18, 2017. These Coordinators will be responsible for:

- overseeing the investigation and prosecution of the offenses listed above;
- attending training programs with other Coordinators regarding these offenses;
- providing legal advice and training to AUSAs regarding these offenses; and
- maintaining and routinely reporting prosecution statistics related to these offenses.

Each Coordinator will be responsible for convening meetings with representatives from the Department of Homeland Security—including Immigration and Customs Enforcement, Homeland Security Investigations, U.S. Customs and Border Protection, and United States

Memorandum from the Attorney General
Subject: Renewed Commitment to Criminal Immigration Enforcement

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Citizenship and Immigration Services as well as other law enforcement partners deemed necessary to accomplish this criminal immigration enforcement effort. The Coordinator will work with this group to (1) coordinate specific immigration enforcement initiatives, emphasizing those initiatives that will have the greatest impact on public safety; (2) initiate training programs; and (3) facilitate information sharing.



(<https://www.cornell.edu>) Cornell University Law School (<http://www.lawschool.cornell.edu/>) Search Cornell (<https://www.cornell.edu/search/>)

U.S. Code (</uscode/text/>) › Title 18 (</uscode/text/18/>) › Part I (</uscode/text/18/part-I/>) › Chapter 7 (</uscode/text/18/part-I/chapter-7/>) › § 111

18 U.S. Code § 111 - Assaulting, resisting, or impeding certain officers or employees

Current through Pub. L. 114-38 (<http://www.gpo.gov/fdsys/pkg/PLAW-114publ38/html/PLAW-114publ38.htm>). (See Public Laws for the current Congress (<http://thomas.loc.gov/home/LegislativeData.php?n=PublicLaws>))

US Code (/uscode/text/18/111?qt-us_code_temp_noupdates=0#qt-us_code_temp_noupdates)

Notes (/uscode/text/18/111?qt-us_code_temp_noupdates=1#qt-us_code_temp_noupdates)
prev (</uscode/text/18/81>) | next (</uscode/text/18/112>)

(a) IN GENERAL.—Whoever—

(1) forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 of this title (</uscode/text/18/1114>) while engaged in or on account of the performance of official duties; or

(2) forcibly assaults or intimidates any person who formerly served as a person designated in section 1114 on account of the performance of official duties during such person's term of service,

shall, where the acts in violation of this section constitute only simple assault, be fined under this title or imprisoned not more than one year, or both, and where such acts involve physical contact with the victim of that assault or the intent to commit another felony, be fined under this title or imprisoned not more than 8 years, or both.

(b) ENHANCED PENALTY.—

Whoever, in the commission of any acts described in subsection (a), uses a deadly or dangerous weapon (including a weapon intended to cause death or danger but that fails to do so by reason of a defective component) or inflicts bodily injury, shall be fined under this title or imprisoned not more than 20 years, or both.

(June 25, 1948, ch. 645, 62 Stat. 688 (<http://uscode.house.gov/statviewer.htm?volume=62&page=688>); Pub. L. 100-690, title VI ([http://thomas.loc.gov/cgi-bin/bdquery/L?d100:/list/bd/d100pl.lst:690\(Public_Laws\)](http://thomas.loc.gov/cgi-bin/bdquery/L?d100:/list/bd/d100pl.lst:690(Public_Laws))), § 6487(a), Nov. 18, 1988, 102 Stat. 4386 (<http://uscode.house.gov/statviewer.htm?volume=102&page=4386>); Pub. L. 103-322, title XXXII ([http://thomas.loc.gov/cgi-bin/bdquery/L?d103:/list/bd/d103pl.lst:322\(Public_Laws\)](http://thomas.loc.gov/cgi-bin/bdquery/L?d103:/list/bd/d103pl.lst:322(Public_Laws))), § 320101(a), Sept. 13, 1994, 108 Stat. 2108 (<http://uscode.house.gov/statviewer.htm?volume=108&page=2108>); Pub. L. 104-132, title VII (<http://www.gpo.gov/fdsys/pkg/PLAW-104publ132/html/PLAW-104publ132.htm>), § 727(c), Apr. 24, 1996, 110 Stat. 1302 (<http://uscode.house.gov/statviewer.htm?volume=110&page=1302>); Pub. L. 107-273, div. C, title I (<http://www.gpo.gov/fdsys/pkg/PLAW-107publ273/html/PLAW-107publ273.htm>), § 11008(b), Nov. 2, 2002, 116 Stat. 1818 (<http://uscode.house.gov/statviewer.htm?volume=116&page=1818>); Pub. L. 110-177, title II (<http://www.gpo.gov/fdsys/pkg/PLAW-110publ177/html/PLAW-110publ177.htm>), § 208(b), Jan. 7, 2008, 121 Stat. 2538 (<http://uscode.house.gov/statviewer.htm?volume=121&page=2538>).