

**THE 173D AIRBORNE BRIGADE ASSOCIATION,
INCORPORATED**

BY-LAWS

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BY-LAWS
THE 173D AIRBORNE BRIGADE ASSOCIATION, INCOPORATED

ARTICLE I **Principal Office; Purpose**

Section 1. Principal Office

The Principal Office and Mailing Address of The 173d Airborne Brigade Association shall be located in the City of the Current President of the Association and may have other offices as it's affairs may require.

Section 2. Purpose

- A. To establish a permanent organization that will further develop the common bonds existing between all men and women who served with the 173d Airborne Brigade (SEP) or the active duty 173d Airborne Brigade (“The Brigade”).

- B. To assemble and maintain the awards, achievements and like records of The Brigade, and to preserve and publish the history of The Brigade.

- C. To perpetuate the memory of Sky Soldiers who died in the service of their Country.

- D. To be of assistance to Sky Soldiers in matters pertaining to Veterans Affairs.

- E. To render acts of charity and service to the community and The Association in accordance the By-laws and the Airborne tradition of Patriotism, Service and Sacrifice.

ARTICLE II **Membership**

Section 1. Types and Qualifications

Membership in The Association shall consist of two (2) groups: Regular and Associate Members.

A. Regular Members

- 1. Any person who has been assigned or attached to and honorably served with The Brigade, under competent orders, shall be eligible for Regular Membership.

2. Any applicant for Regular Membership shall first file with the Secretary an Application for Membership, or such forms as shall be prescribed by the Board of Directors, accompanied by payment in full of initiation fees and dues in US money current. Such applicant shall become a Regular Member on approval of the Application by the Secretary.
3. No applicant, having made proper application and possessing the foregoing qualifications, shall be denied membership in The Association, provided however, that the Board of Directors may, at its discretion, refuse membership to any applicant who at any time during or since his service in The Brigade has been guilty of conduct unbecoming a Sky Soldier.
4. The Board of Directors may, at its discretion, elect any person to Regular Membership who was assigned to and honorably served with the 173d Infantry Brigade prior to its designation as the 173d Airborne Brigade.

B. Associate Members

1. Spouses of deceased former members of the Association.
2. Gold Star Members

Any family member of a former member of the brigade who was performing military duty and was killed while on active duty is eligible for Gold Star Membership. Dues of Gold Star Members to be commensurate with regular members.

Any applicant for Gold Star Membership shall first file with the Secretary an Application for Membership or the Board of Directors shall prescribe such forms. Such applicant shall become a Gold Star Member upon documentation of their relationship to the KIA Sky Soldier/Allied Service member or may propose candidacy to the Board of Directors for Honorary Gold Star Membership by written recommendation documenting such qualifications of that candidate.

3. Veteran Members

Any Person who served the United States or its' Allied Forces shall be eligible for Associate Member in The Association upon application for Associate Membership.

4. Gold Star Parents / Spouses shall be eligible for Life Membership.

5. Honorary Member

- a. Any person whose activities have fostered the Airborne ideals on a national scale or who has provided great service to the United States of America or to The Brigade may be elected an Honorary Member of The Association by the Board of Directors. Any member of The Association may propose a candidate for Honorary Member, by written recommendation, to the Board of Directors stating the qualifications of that candidate.
- b. Each recommendation shall be certified to the Secretary not less than five (5) weeks prior to the Annual Reunion. Honorary Membership will be approved by majority vote at the Annual Membership Meeting. The Board of Directors may withdraw any Honorary Membership.
- c. Each Chapter of The Association may provide in its own By-laws for the designation of qualified persons as Honorary Chapter Members so long as they do not conflict with these By-laws.

Section 2. Dues and Initiation Fees

- A. The Board of Directors shall from time to time fix Initiation Fees and Dues from all members, except that Life and Honorary Members are exempt from paying Dues.
- B. Past Presidents of The Association, upon completion of their term or terms as President, when duly elected by the Board of Directors, shall be Life Members.
- C. All Sky Soldiers awarded the Medal of Honor and Allied Service members awarded their nation's highest decoration for Valor, when duly elected by the Board of Directors, shall be Life Members.
- D. All Regular Members and Gold Star Parents / Spouse who pay the Life Membership Fee shall be Life Members.
- E. Annual Dues are due January 1 of each year.
- F. A portion of yearly dues, which are received from those members belonging to a Chapter, shall be forwarded to the Treasurer of the Executive Committee.
- G. The President, or his designee, will be the only person of The Association authorized to issue a membership card.

Section 3. Termination of Membership

The name of any member may be made an inactive member from the membership rolls by: 1) upon written resignation or, 2) upon direction by the Board of Directors based upon non-payment of dues or assessments, or for any reason that would warrant refusal of membership to an applicant.

Section 4. Appeal of Membership Denial or Revocation

Any person removed other than by a written resignation shall have the right of appeal to the Membership Appeals Committee and shall be informed of that right and the means to exercise it at the time the decision is made to deny or revoke membership.

Section 5. Meeting of Members; Quorum

- A. The Annual Membership Meeting shall be held during the Annual Reunion. Membership Meetings may be called at any time by the Board of Directors, and shall be called upon the written request of at least five percent (5%) of The Association's Members in Good Standing.
- B. Regular Members shall be entitled to one vote, in person, on each matter submitted to vote of the membership.
- C. The voting members present, in person, shall constitute a Quorum.

Section 5. Order of Business

- 1. Roll Call
- 2. Reading of Minutes of the preceding meeting and action thereon
- 3. Reports of Officers
- 4. Reports of committees
- 5. Unfinished business
- 6. Miscellaneous business
- 7. New business
- 8. Good and Welfare of The Association
- 9. Adjournment

ARTICLE III Directors

Section 1. Management

The Board of Directors shall manage the affairs of The Association.

Section 2. Number

The Board of Directors shall consist of Chapter Presidents from each Chapter. The President, Vice President, Treasurer, and Secretary of The Association shall be members of the Board of Directors.

Section 3. Election and Term

Chapter Presidents will be elected according to procedures established by Chapter By-laws, consistent with the provisions herein.

Section 4. Qualifications

A Director shall be a Regular Member in the Association.

Section 5. Vacancies

Any vacancy shall be filled by the appropriate Chapter for the un-expired term portion of the term.

Section 6. Compensation

No compensation shall be authorized any Director other than reimbursement of legitimate expenses.

Section 7. Meetings

The regular Annual Meeting of the Board of Directors shall be held, without notice other than this By-law, during the Annual Reunion. Special Meetings of the Board of Directors may be called at the request of the President, or any three (3) Directors.

Section 8. Time and Place of Meetings

The Board of Directors may hold its meetings at the Principal Office of The Association or any such places, either within or without the State of North Carolina, as it may from time to time determine.

Section 9. Quorum

- A. A majority of the entire Board of Directors shall constitute a Quorum.
- B. Unless otherwise required, the vote of the majority of the Directors present at the time of a vote, if a Quorum is present at such time, shall be the act of the Board of Directors. Each Director present shall have one vote.

- C. A majority of Directors present, whether or not a Quorum is present, may adjourn any meeting to another time and place. Notice of the adjournment shall be given to all Directors who were absent at the time of the adjournment and, unless such time and place are announced at the meeting, to the other Directors.

Section 10. Committees

The Board of Directors may designate from its members various committees, each consisting of three or more Directors. Each committee shall serve at the pleasure of the Board of Directors.

Section 11. Resignation

A Director may resign at any time by giving written notice to the Board of Directors, the President, or the Secretary. Unless otherwise specified in the notice, the resignation will take place effect immediately, and the acceptance of the resignation shall not be necessary to make it effective.

Section 12. Delegation

- A. A Delegate may be appointed by a Chapter President to a Board of Directors Meeting to represent said Chapter with the full authority and vote of a Director.
- B. Notification of any Delegate may be made in advance to The Association President by any means necessary, given the exigency of the moment, but written authority and confirmation must follow or accompany the Delegate for presentation to The Association President at the time of the Board of Directors Meeting.

ARTICLE IV Officers

Section 1. Number; Executive Committee

- A. The Principal Officers of The Association shall be a President, Vice President, Secretary, and Treasurer. The President may designate other officers.
- B. The President, Vice President, Secretary, and Treasurer shall comprise the Executive Committee of the Board of Directors.
- C. The Executive Committee shall have the power to act in all emergencies, and it shall give the Chapters immediate notification of any such action.
- D. No member of the Executive Committee may simultaneous hold elected office in a Chapter.

Section 2. Election and Term

- A. The Association will conduct its annual elections via ballots distributed in conjunction with the Spring Edition of the magazine "Sky Soldier". Only paid up regular members will be allowed to cast a vote. Ballots must be returned to the Election Committee by a designated date twenty days prior to the Reunion that year. Only one ballot per return envelope will be allowed. Multiple ballots sent or brought to the Election Committee will be disqualified.

The ballots are to be counted by the Election Committee prior to the Annual Meeting, at a site selected by the Election Committee. Votes will not be counted any more than twenty (20) days prior to the annual meeting. The winners of the election will be announced at the Annual General Membership Meeting. The newly elected officers will be sworn in at the end of the election and assume the duties of office at the end of the reunion.

1. All ballots for Southern Hemisphere members will be sent to the Southern Hemisphere Vice President who will distribute the ballots to those members.
 2. Commencing in 1991, and every two years thereafter, the President and Treasurer shall be elected for a two-year term. Commencing in 1992, and every two years thereafter, the Vice president and Secretary shall be elected for a two-year term.
- B. The Election Committee is responsible for finding suitable candidates to hold the elected positions of The Association. The Committee will announce the candidates by posting their resumes in the Winter edition of the magazine "Sky Soldier".
1. A candidate for the Principal Offices of The Association will make his/her candidacy known to the Election Committee Chairman, in writing, with their qualifications to hold office. Candidate, or Nominee, will do so in a timely manner to be able to publish in Winter edition of the magazine "Sky Soldier", so as to inform the Membership of their candidacy before the annual election.
 2. There will be no write in candidates for the ballot.

Section 3. Removal

Any Officer, elected by the Membership or appointed by the President, may be removed from office by the Board of Directors by a 2/3 vote at a meeting of the Board of Directors, whenever, in its judgment, the best interests of The Association would be preserved thereby.

Section 4. Vacancies

Any vacancy on the Executive Committee shall be filled by appointment by the President with the approval of the Board of Directors for the remainder of the term.

Section 5. Compensation

No compensation shall be authorized any Officer other than reimbursement of legitimate expenses.

Section 6. President

The President shall be the Chief Executive Officer of The Association and shall in general supervise and control all affairs of The Association. The President shall preside at all meetings of The Association and of the Board of Directors.

Section 7. Vice President

- A. The Vice President shall perform duties assigned by the Board of Directors or the President.
- B. In the absence of the President, or in the event of the President's inability to perform his duties, the Vice President shall perform the duties of the President.
- C. Is a member Ex-officio of all standing committees.

Section 8. Treasurer

- A. Using generally accepted standard accounting procedures and practices be responsible for all funds and securities of The Association, receive and give receipts for money received, and deposit all such monies in the name of The Association in such banks, trust companies or other depositories as shall be designated the Board of Directors, and in general perform all duties assigned him by the President and or Board of Directors.
- B. Pay all bills and obligations of The Association upon the approval of the President. Time Deposits and Investments shall require the signature of the President and Treasurer for issuance, withdrawal, or conversion. No monies shall be borrowed or loaned nor shall any notes be given unless authorized by the Board of Directors. Monies shall be deposited in institutions insured by the Federal Government. Invest funds in other than FDIC insured accounts with balances in excess of \$125,000.00 with Executive Committee approval.

- C. Submit a semi-annual non-audited financial report to the Board of Directors and a compiled financial report from a professional accountant to the Membership at the Annual Membership Meeting.
- D. Draw up and submit to the Executive Committee for approval an annual budget at least thirty (30) days prior to the beginning of The Association's Fiscal Year. Provide recommendations to the President for expenditure of any funds over budget levels.
- E. Complete and submit all required legal forms in a timely manner.

Section 9. Secretary

- A. Provide for payment of all authorized bills and obligations of The Association by the Treasurer.
- B. Receive, record and deliver to the Treasurer all monies of The Association
- C. Oversee the publication and distribution of the newsletter quarterly to all members.
- D. Is the custodian of the Corporate Seal of The Association records and affixes the Seal to all official documents.
- E. Is responsible for and keep the Minutes of all meetings of The Association and the Board of Directors.
- F. Minutes of any meetings will be submitted to the Board of Directors in a timely manner.

Section 10. Sergeant-At-Arms

- A. A Sergeant-At-Arms will be appointed by the President and serve at the pleasure of the President. It shall be the duty of the Sergeant-At-Arms to:
 - 1. Ensure order at the Annual Meeting of The Association, Board of Directors meeting, special or other activities as the President may direct.
 - 2. Lead "The Pledge of Allegiance", as directed.
 - 3. Introduce visitors and guests to the President and members at meetings.
 - 4. Take charge of the stand of colors after presentation and prior to return to the Quartermaster.
 - 5. Meet with and be a non-voting member of the Board of Directors.

Section 11. Chaplain

- A. A Chaplain of The Association is appointed by the President to serve at the pleasure of the President. The Chaplain will conduct the Annual Memorial Service at Annual Membership Meeting or Reunion and carry out his duties incidental to this Office.
- B. The Chaplain shall meet with and be a non-voting member of the Board of Directors.
- C. Swear in the newly elected officers.

Section 12. Judge Advocate General

- A. The Judge Advocate General is to be appointed by the President and shall serve at the President's pleasure.
- B. The Judge Advocate General shall meet with and be a non-voting member of the Board of Directors. The Judge Advocate General shall interpret the By-laws and advise The Association on legal questions.

Section 13. Membership Secretary

- A. The Membership Secretary shall be appointed by the President and be a non-voting member of the Board of Directors.
- B. Maintain the membership database.
- C. Issue membership cards and oversee the Life Member card program.
- D. Collect membership applications and approve memberships, forward all fees to the Treasurer and provide a quarterly report to the Board of Directors of all new members and changes of status of members.

Section 14. Quartermaster

- A. The President shall appoint a Quartermaster to account for all property of The Association including, but not limited to, flags, colors or guidons, works of art, yearbooks, mementos, computers, cell phones, etc.
- B. Be responsible for the serviceable condition of said property.
- C. Disburse the transfer of all property by hand receipt.

Section 15. Sureties and Bonds

In the case the Board of Directors shall so require, any Officer or Agent shall execute to The Association a bond in such sum and with surety or sureties as the Board of Directors may direct, conditioned upon the faithful performance of his duties and including the responsibility of negligence and for the accounting of all property, funds, or securities of The Association which may come into his/her hands.

Section 16. Membership Appeals Committee

- A. The President shall appoint a Committee of five (5) members, who must be from different Chapters, to hear all appeals of denials of membership or revocations of membership. This committee shall elect its own chairman and shall establish a process to provide fair consideration of the appeals.
- B. Any person whose membership is denied or revoked shall promptly be advised of the right to appeal to this Committee and the procedures for doing so.
- C. The Board shall be bound by the formally reported decision of the Committee.

ARTICLE V Local Chapter Organization

To achieve the purposes of The Association, local Chapter organizations shall be developed.

Section 1. Organizing Chapter Chairman

An organizing Chapter Chairman may be designated by the Secretary for the purpose of organizing a new Chapter in areas not currently organized as local Chapter areas.

Section 2. Organizational Meetings

Each organizing Chairman shall thereupon call a meeting of all Association members and potential members residing in his area for the purposes of 1) familiarizing such members with the purposes of The Association, 2) organizing the Chapter and electing Chapter Officers, who must be Regular Members of The Association, 3) drafting Chapter By-laws, and 4) requesting a Chapter Charter from The Association.

Section 3. Chapter Boundaries

An Association member may elect to become a member of any Chapter of their choosing or be assigned to the nearest local chapter by the Membership Secretary, if none is selected.

Section 4. Requirements

- A. After each Chapter is organized with Chapter Officers duly elected by at least ten (10) Regular Members in that Chapter, they may petition The Association for a Chapter Charter which will be presented to the Chapter by The Association.
- B. Chartered Chapters are required to maintain activities with needs and purposes of The Association throughout the year. This requirement will include, but not be limited to, the scheduling of regular Chapter Meetings. At the close of each Calendar Year, each Chapter will file with the Secretary a written report of dates and places of all meetings and activities held or sponsored by the Chapter throughout the year.
- C. Within sixty (60) days of the end of each calendar year, each Chapter will submit in writing to the Treasurer, copy to the Secretary, a financial statement reflecting the income, expenditures and the status of assets held by the Chapter.
- D. The failure of any Chapter to maintain its program and activities and to file both an activity and financial report shall constitute sufficient basis for the Board of Directors to suspend and/or revoke the Charter of such Chapter.

Section 5. Chapter President

Each Chapter may follow whatever organizational structure its members prefer, as long as is not inconsistent with these By-laws, provided that the Chapter elects a President charged with the duty of liaison between and empowered to represent the Chapter before The Association.

Section 6. Demise

In the event a Chapter ceases to function, all property, revenue, and records are to be handed over to the Secretary for safe keeping. All property and records are to be stored for future use. All Chapter funds shall be deposited in The Association's general fund. The Chapter Charter shall become void.

ARTICLE VI Annual Reunion

Section 1. Site

- A. Responsibility for conducting the Annual Reunion shall be awarded to a designated Chapter upon the recommendation of the Board of Directors and with the approval of the Membership at the Annual Membership Meeting. Should unforeseen circumstances occur after such responsibility is awarded which precludes a Chapter from conducting an Annual Reunion, the Board of

Directors may delegate the responsibility to another Chapter by three-fourths approval.

- B. Responsibility for conducting an Annual Reunion will be designated two (2) years in advance of said Reunion.

Section 2. Executive Committee; Responsibilities; Audit

- A. The President, Vice President, Secretary and Treasurer, acting as a Steering Committee, shall have veto power over any Annual Reunion Committee. Anticipated expenditures will be submitted in budgetary form to the Steering Committee on or before December 15th of each year for approval. Any budgetary changes made thereafter shall also be submitted to the Steering Committee for approval.
- B. Within ninety (90) days after completion of an Annual Reunion, the audited record of receipts and expenditures pertaining to shall be forwarded to the Secretary. If the audit shows that expenditures gave exceeded the income of the Annual Reunion Committee, the Host Chapter may not petition the Board of Directors to pay the loss or part thereof. When the audit shows income to have exceeded expenditures, the Host Chapter may retain fifty percent (50%) of the excess, forwarding the remaining fifty percent (50%) to the Treasurer.

ARTICLE VII Fiscal year

The Fiscal Year shall begin 1 June and end on 31 May of each year.

ARTICLE VIII Reserved

ARTICLE IX Awards and Honors

Section 1. General

The Association of the 173d Airborne Brigade shall administer awards programs established by The Association, or act as agent for other organizations and entities in selecting candidates from The Association for honors and awards established by those organizations and entities or awards established by the Department of the Army.

Section 2. Purpose

To provide recognition of achievement and service to The Association, the Airborne, the Army, or the United States of America by either members of The Association or, when appropriate, by distinguished persons who are not members of The Association.

Section 3. Implementation

A. The 173d Airborne Brigade Sky Soldier of the Year Award

1. The Association will participate in the *Static Line* “173d Airborne Man of the Year Award”.
2. The Executive Committee of The Association shall nominate annually a candidate to be the *Static Line* “Airborne Man of the Year”.
3. Any duly constituted Chapter of The Association may recommend a candidate for this award through the Secretary. The Secretary will perform administrative functions pertaining to the selection of this nominee as directed by the President.

B. The Sigholtz Award

1. The Sigholtz Award was established by Chapter I of The Association in memory of LT Bobby Sigholtz who was Killed In Action while serving in The Brigade. The Sigholtz Award is presented annually to the outstanding Non-Commissioned Officer, Grade of SGT E-5 or SSGT E-6, serving in the 173d Airborne Brigade.
2. The Program shall be administered by the Command Sergeant Major of the 173d Airborne Brigade. The Award Selection Board shall be composed of the CSM of The Brigade and the SMJ's of all subordinate units, each having one vote.
3. The Association shall fund the transportation of the Award Recipient and the recipient's spouse to the Annual Meeting and Reunion of The Association. The Association Host Chapter shall provide hotel accommodations and \$200.00 expense money.

C. President Emeritus

1. The Association may recognize certain members for their outstanding past achievements and continuing contributions to uphold the ideals of The Association by conferring the accolade “President Emeritus”.
2. The member may be accorded the honorific by the President after consultation with and consent of a majority of the Board of Directors.
3. Announcement of the accolade will be made by the President at the Annual Meeting and subjected to a vote by the general body. Public announcement will be made at the Annual Banquet following the General Meeting.

4. The “President Emeritus” may serve in any position within a chapter or the national organization, in accordance with these By-laws, but not be entitled to any position or vote because of the title “President Emeritus”.

ARTICLE X Amendments

Section 1. By-laws Committee

There shall be a By-laws Committee appointed the President annually

Section 2. Amendment at Annual Meeting

- A. By-laws may be adopted, amended, or repealed by two-thirds vote of the membership at any Annual Membership Meeting.
- B. No such action can be taken unless the proposed changes have been mailed to the By-laws Committee at least sixty (60) days prior to the Annual Membership Meeting.
- C. The By-laws Committee shall put such proposals in proper form. The Committee shall then mail such proposals to the Board of Directors at least thirty (30) days prior to the Annual Membership Meeting
- D. The Membership may, by two-thirds vote, agree to waive the notice requirements and vote on any such proposals.

Section 3. Amendment by Directors

By-laws may be adopted, amended, or repealed by three-fourths of those present and voting at a meeting of the Board of Directors, provided that any such action shall be ratified by a two-thirds vote of the members present at the next Annual Membership meeting.

ARTICLE XI Rules of Order

Except wherein provided, Roberts Rules of Order, Newly Revised, shall determine parliamentary procedure.

ARTICLE XII Construction

If there is any conflict between the provisions of the Certificate of Incorporation and these By-laws, the provisions of the Certificate of Incorporation govern.

Amended August 1, 2009 at Daytona Beach, FL.