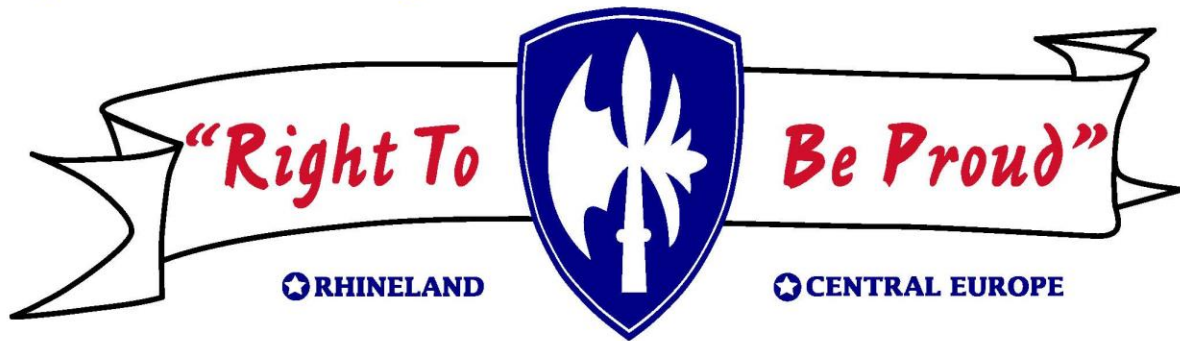


65th Infantry Division Association



65th Infantry Division Association

BYLAWS

These Bylaws govern the affairs of the 65th Infantry Division Association, a non-profit corporation organized and incorporated on July 1, 1966 and filed in the Court of Common Pleas of Delaware County – No. 8636 of 1966 – under an Act of 1933 –P.L.289, and identified in the Pennsylvania Secretary of State’s Corporate Listings as entity No. 331170.

October 2020

65 Infantry Division Association
Bylaws – Summary Outline

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ARTICLES

Article I: Name

The name of this organization, as provided for in its Articles of Incorporation, is and shall be: The 65th Infantry Division Association (“Association”).

Article II: Mission and Purpose

1. Mission Statement of the Association (“Mission”) is:
 - a. Our Mission is to preserve and promote the history and legacy of the 65th Infantry Division, while developing a culture of fellowship among the veterans, descendants, family, and friends of the 65th Infantry Division.
2. The Purpose of the Association is:
 - a. To perpetuate the history and memorabilia of the 65th Infantry Division of the United States Army (“65th Infantry Division”), both in training and in combat during World War II.
 - b. To afford opportunities for members of the 65th Infantry Division and their families to make and renew personal contacts.
 - c. To act as a central source for information and education concerning the 65th Infantry Division, its subordinate and attached units and individual members.
 - d. To function as a corporation which does not contemplate pecuniary gains, incident or otherwise to its members.

Article III: Membership

1. Membership in the Association shall be open to:
 - a. Veterans: All persons who have served with the 65th Infantry Division or with any of the attached troops or units to this Division during World War II or any subsequent active period of the Division.
 - b. Legacy Members: All extended family members who are eighteen (18) years of age or older, whether directly or through marriage, of a 65th Infantry Division Veteran described in subparagraph “a” above.
2. Membership for those eligible under paragraph 1 above, requires and is effective only after the payment of dues as provided for in these Bylaws.
3. Any member in good standing, whose dues have been paid in full, shall be eligible to vote at meetings, to serve as a board member, or to serve in a position of the Association.
4. Members shall be considered in good standing unless: (a) dues have not been paid, (b) they have engaged in any act(s) that discredit or are prejudicial to the best interest of the Association, or (c) belong to an organization that advocates the overthrow of the government of the United States. The Executive Board may, by a two-thirds vote, terminate

the membership of any member for cause, after giving the member an opportunity to be heard. The decision of the Executive Board shall be final and not subject to appeal.

5. Honorary membership may be granted, from time to time, by the Executive Board to individuals who have provided notable service to the Association or exemplary service to preserve or promote the history and legacy of the 65th Infantry Division. Honorary membership shall: be available to individuals who are not otherwise eligible for membership; shall not require the payment of dues; and shall not confer the right to make motions, vote at meetings, or hold office in the Association.
6. The granting of honorary membership shall require a motion to be made by an active Board member and presented to the Association President. If in proper order, the motion shall be presented to the full Executive Board for consideration. A second to the motion shall be required. No vote on such a pending motion shall be held for a minimum of 24 hours from the receipt of the second to the motion. The period shall be used to allow the full Board a period for questions and consideration. The President shall call for a vote once questions, if any, have been addressed. A two-thirds vote of the full Board shall be required to approve such a motion to grant Honorary membership.

Article IV: Dues

1. The Executive Board may set the dues to be paid for membership from time to time. The dues schedule should be published in the official publication of the Association, *The Halbert Magazine*, and may be published on the Association website or other social media as deemed appropriate.
2. Dues for membership may be annual or lifetime. Unless modified by the Executive Board, dues shall be as follows:
 - a. Annual dues for members: \$10
 - b. Lifetime dues for members: \$50
 - c. There shall be no initiation fee for membership.

Article V: Fiscal Year

The fiscal year for the Association and for membership shall be the calendar year.

Article VI: Executive Board & Governance

1. The Association, in compliance with Pennsylvania law, shall elect at its annual Membership Meeting, at a minimum, a president, a treasurer, and a secretary. Such other positions, as deemed necessary or desirable by the Board for the functioning of the Association, may also be placed before the membership for election, as provided for in these Bylaws.
2. The general governance of the Association shall be the responsibility of the Executive Board ("Board"). The Board shall be composed of those members in good standing elected at the annual Membership Meeting to the following positions:

- a. President (two year term)
 - b. Vice President (two year term)
 - c. Association Administrator
 - d. Treasurer
 - e. Recording Secretary
 - f. Corresponding Secretary
 - g. Sergeant-at-Arms
 - h. Chaplain
 - i. Historian
 - j. Membership Chair
 - k. Halbert Editor/Publisher
 - l. Social Media Administrator
 - m. Merchandise Chair
 - n. Members-at-Large (up to 3)
 - o. Past President (see VI, paragraph 8)
3. The President, in consultation with the Association Coordination Team (see VI, paragraph 16 below), may request the Nominations Committee to nominate up to 3 Association members at large to serve on the Executive Board. Members-at-Large shall be elected to serve a one-year term but shall not serve for more than two (2) consecutive terms.
 4. The Board in its sole discretion may, by majority vote, elect to not fill any of the positions identified in section VI.2 above, except if required by law, when such role of the position is either no longer required or when such duties are consolidated with a different position.
 5. The President shall serve as the chairperson of the Board. In the President's absence, the Vice President or other designee of the President shall serve in that role.
 6. Members of the Board, as provided for in Article VI.2., shall be elected by the membership at the annual Membership Meeting. Nominations for such positions shall be received from the Nominations Committee. Nominations shall also be accepted from the floor at the time of the Membership Meeting.
 7. Persons elected to the Board positions shall assume their duties effective at the conclusion of the annual reunion at which they were elected. Individuals so elected are expected to attend the annual Executive Board Meeting in person. Board Members should be available or participate, to the extent possible, in all other meetings of the Board. Each Board position shall be entitled to one equal vote on the business of the Executive Board.
 8. The term of office for each position, except for the President and Vice President who shall serve for a two-year term, shall be one year or until elections at the next annual Membership Meeting. Should such annual meeting not be held in any given year, each person shall continue in that position until an election is held at the next Membership Meeting.
 9. The Past President shall serve on the Executive Board with voting privileges for a period of one year or until the next election is held.
 10. Individuals serving in a Board position are eligible to succeed themselves in office or to be elected to a different position on the Board. The nomination of members who have not

previously served on the Board is encouraged to expand the diversity of new and fresh ideas and input.

11. Whenever a board member or officer has a financial or personal interest in any matter coming before the board, the affected person shall: a) fully disclose the nature of the interest, and b) withdraw from the discussion and voting on the matter. A transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested board members determine that it is in the best interest of the Association to do so.
12. In the event of death, resignation, or removal of a person in any of these elected positions, the Board may appoint, by majority vote, a regular member in good standing to fill the position until the next annual Membership Meeting.
13. In the event of death, resignation, or removal of a person in any of these elected positions, any Association material held by such Board member shall be returned to the Association.
14. A set of suggested Guidelines for the general duties, responsibilities, and expectations for each of the above Board positions shall be provided to each Board member.
15. These Guidelines may be amended and clarified from time to time, as deemed appropriate as roles develop. As suggested Guidelines, they shall not require the formal approval of the Executive Board or the membership. The Association Administrator shall oversee the development and publication of these Guidelines.
16. The material failure to carry out the basic duties of a Board position, or to regularly participate in Board meetings, Membership meetings, committee meetings or reunions, or to maintain a membership in good standing, may be cause for removal from the designated Board position. Such removal shall be made at the sole discretion of two-thirds of the Executive Board, after giving the member an opportunity to be heard.
17. There shall be an Association Coordination Team to address routine administrative matters of the Association between meetings and to help oversee coordination of Association activities and undertakings, consisting of the President, Vice President, Association Administrator and Treasurer. The Association Coordination Team shall meet at least quarterly, or more often if deemed necessary by any two such members and shall have authority to conduct routine business of the Association between meetings and to approve Association expenditures of one thousand dollars or less. Items or issues deemed non-routine or requiring larger expenditures than authorized here shall be referred to the Board for consideration. Notwithstanding this provision, reunion contracts of larger amounts shall be permitted to be signed after review and approval of the Association Coordination Team.
18. Persons holding Board positions with designated areas of responsibility shall not expend funds or commit to any financial liability on behalf of the Association without notice to the Treasurer and approval by the Association Coordination Team.

Article VII: Meetings

1. Reunions

- a. A traditional reunion of members of the 65th Infantry Division Association shall be planned and held as determined by the Board and approved at the annual Membership Meeting. The President and Association Administrator shall take the lead in overseeing such arrangements.
- b. The reunion is deemed to be a fundamental activity to help carry out the Mission of the Association.
- c. While an annual fall reunion has been a tradition of the Association, the Executive Board, with the approval of the members at the annual Membership Meeting, may approve and arrange for changes in the reunion schedule and timing. A reunion and Membership Meeting shall be held at least once in a two year period from the last reunion.
- d. Reunions shall be open to all members in good standing and to their guests. Third parties, not a guest of a member but interested in the history of the 65th Infantry Division, may be permitted to attend, subject to review and approval by the Association Coordination Team.

2. Executive Board Meetings

- a. The Board should use its best efforts to meet in person annually at the Association's regularly scheduled annual reunion ("Board Meeting"). Board Meetings may be scheduled at the call of the President or the Association Coordination Team, with notice being given at least forty-eight hours before the scheduled meeting. The annual meeting shall require a quorum of no less than fifty percent (50%) of the Board. Decisions shall be approved by a majority of the Board members present, participating and voting.
- b. Executive Board Meetings shall be closed. Only Board members and invited guests at the call of the President, may attend, whether for the full meeting or to make limited presentations, as directed.
- c. Meetings or decisions of the Board or the Association Coordination Team may be conducted in person, by conference call, by video conferencing, or by electronic mail. Decision by the Board at such meetings shall require an active or responding quorum of no less than fifty percent (50%) of the Board. Decisions shall be approved by a majority of the Board members participating and voting. Final decisions of the Board or Association Coordination Team should be reported at the annual Executive Board Meeting and made part of the minutes of the Association.
- d. A record of all actions taken by the Board shall be made by the Recording Secretary and kept as part of the official minutes of the Association. A summary of the minutes shall be reported in the official publication of the Association, *The Halbert Magazine*.
- e. Provide draft sets of such minutes to the President and Association Administrator within thirty (30) days of such meetings for initial review and suggested corrections.
 - i. After initial review by President and Association Administrator, the Secretary shall mail or email a copy to all board members.
 - ii. Within fifteen (15) days of such distribution of the Executive Board Minutes, the President shall call for a vote by the Board to approve such minutes, as amended.

The approved minutes shall be the official record of the actions taken by the Board and shall be filed by the Secretary.

3. Membership Meetings

- a. The membership shall meet annually if possible, with such meeting normally being held at the annual reunion of the Association (“Membership Meeting”). When necessary, Membership Meetings may be conducted by conference call or by video conference, after notice and the presence of a quorum.
- b. Membership Meetings shall be open to all members in good standing and may be attended by guests of the members or of the Association. Only members in good standing shall be entitled to vote on matters brought before the membership.
- c. A special meeting of the Association may be called by the Board. A petition, signed by at least fifteen (15) members in good standing, calling for such a special meeting may be presented to the President or Association Administrator for the Board’s consideration. Such petition shall state the reason for the meeting and the subjects to be discussed.
- d. Notice of any regular or special meeting shall be provided to the membership at least thirty (30) days prior to such meeting. Such notice may be in writing or by electronic communication. Failure to receive notice by any member shall not invalidate such meeting.
- e. A quorum for any Membership Meeting of the Association shall be fifteen (15) members in good standing. Voting at Membership Meetings shall be in person. Voting by proxy shall not be accepted.
- f. A complete record of all actions taken by the membership at a Membership Meeting shall be made by the Recording Secretary and kept as part of the official minutes of the Association. A summary of the minutes, as reviewed and approved by the Board, shall be reported in the official publication of the Association, *The Halbert Magazine*.
- g. Provide draft sets of such minutes to the President and Association Administrator within thirty (30) days of such meetings for initial review and suggested corrections.
 - i. After initial review by President and Association Administrator, the Secretary shall mail or email a copy to all board members.
 - ii. Within fifteen (15) days of such distribution of the Membership Meeting, the President shall call for a vote of the Board to approve the form of such minutes, as amended, and held by the Secretary for presentation at the next annual Membership Meeting for formal approval. Once approved, the Secretary shall file a copy of the approved minutes in the records of the Association

Article VIII: Committees

1. General Provisions

- a. There shall be certain committees of the Association, including regular committees and special committees, to assist in the development and administration of Association activities. The President or the Association Coordination Team may

appoint a designated special committee to carry out and assist in the development and administration for a specified purpose or undertaking.

- b. Committee chairs shall report to the President and/or the Association Administrator, as designated or requested.
- c. The President may serve as an ad hoc member of any committee, but without committee vote.
- d. A committee chair may be requested to make a presentation to the Board at the discretion of the President.
- e. The role of these committees is further set forth in the Guidelines provided by the Executive Board.

2. Regular Association Committees

- a. Nominations Committee: A Nominations Committee shall be appointed each year by the President, in consultation with the Association Coordination Team, to bring a slate of nominees before the Executive Board for review and to present to the annual Membership Meeting for vote. This committee shall consist of three members and shall be chaired by the Vice President.
- b. Bylaws Review Committee: A Bylaws Review Committee may be appointed by the President, in consultation with the Association Coordination Team, to review, consider and recommend any changes to the Bylaws of the Association. This committee shall be a required review step in any proposed change, in accordance with the amendment procedure outlined in these Bylaws. This committee shall consist of three members and shall be chaired by the Association Administrator.
- c. Membership Committee: A Membership Committee may be appointed by the President, in consultation with the Association Coordination Team, to assist in the coordination of efforts to develop and expand membership. This Committee should consist of at least three but not more than five members and be chaired by the Membership Chair.
- d. History and Records Committee: A History and Records Committee may be appointed by the President, in consultation with the Association Coordination Team, to assist in efforts and plans to collect, preserve, and promote the history and legacy of the 65th Infantry Division. This Committee shall also oversee a process for the publicizing, production, and distribution of the 65th Infantry Division Association history books. This Committee should consist of at least three members, but not more than five members, and be chaired by the Historian.
- e. Archive and Preservation Committee: An Archive and Preservation Committee may be appointed by the President, in consultation with the Association Coordination Team, to assist in efforts to develop and implement plans for the short-term and long-term preservation of records, materials and memorabilia of the 65th Infantry Division and of the 65th Infantry Division Association. This Committee should consist of at least three members, but not more than five members, and be chaired by the Association Administrator.

- f. Merchandise Committee: A Merchandise Committee may be appointed by the President, in consultation with the Association Coordination Team, to assist in the promotion and management of the sale of merchandise, if any, of the 65th Infantry Division Association to interested parties as part of the mission to preserve and promote the history and legacy of the 65th Infantry Division. This committee should consist of at least three but not more than five members and be chaired by the Merchandise Chair.
- g. Media Coordination and Outreach Committee: A Media Coordination and Outreach Committee may be appointed by the President, in consultation with the Association Coordination Team, to assist in the coordination of media releases and the development of plans and processes for the timely collection, review, operation and posting of relevant information for the 65th Infantry Division. This Committee should consider various outlets and opportunities for the release and publication of information related to the 65th Infantry Division. This Committee should consist of at least four members, but not more than six members, and be chaired by the Vice President.
- h. Reunion Committee: A Reunion Committee may be appointed by the President, in consultation with the Association Coordination Team, to assist in the planning and operation of an upcoming reunion of the Association. The President shall serve as overall chair, with assistance and planning by the Association Administrator, as agreed.

Article IX: Amendments to the Bylaws

1. The Bylaws of the Association may be amended as provided for herein, in accordance with the requirements of this Article.
2. A proposed change or review may be initiated by the President, by the Association Coordination Team, by the Board, or by petition of the membership signed by a minimum of ten (10) or more members in good standing.
3. Any such proposal shall be submitted to a duly appointed Bylaws Review Committee not less than sixty (60) days prior to the annual Membership Meeting. The Bylaws Review Committee shall study the proposed change and potential impact on the Bylaws and on the Association and make a recommendation for or against its acceptance to the Association Coordination Team at least thirty (30) days prior to the proposed date of the annual Board Meeting.
4. The Association Coordination Team shall review the recommendation and present the proposed change to the Board, with its own recommendation for or against the change, not less than ten (10) days prior to the annual Board Meeting.
5. The Board, after its review and discussion, may reject the proposed change, or present it to the membership at the annual Membership Meeting, with a recommendation for or against the proposed change.

6. A proposed change presented at the annual Membership Meeting may be accepted by a majority vote of the membership present and qualified to vote, provided there has been compliance with the procedure set forth above.

Article X: Official Publication, *The Halbert Magazine*

1. The official publication for the membership of the Association shall be "*The Halbert Magazine*." *The Halbert Magazine* should be published and distributed on an annual basis.
2. As the official publication, *The Halbert Magazine* should contain, among other items of interest, official notices for the membership, information on upcoming reunions or other special events of the Association of interest to the membership, the dues schedule for annual and life membership, previous reunion highlights, and a summary of the minutes of the Executive Board Meeting and of the annual Membership Meeting last held, as provided for herein.
3. *The Halbert Magazine* editor shall have discretion to collect and edit other news or articles of special interest which are timely submitted for publication. The editor may set deadlines for such submissions and oversee that the publication is timely submitted for printing and distribution. The editor shall work in conjunction with the Social Media Administrator to coordinate media related information.
4. If in the future the Executive Board should decide to cease the publication of *The Halbert Magazine*, then notices to the membership, if and as required by these Bylaws, shall be sent to the membership by simple newsletter, unless and until two-thirds of the members voting at an annual Membership Meeting approve such notices to be sent by email or other approved form of electronic communication. 65th Infantry Division veterans who are members of the Association shall always receive a written notice.
5. Nothing in this Article shall prohibit or restrict the publication of any such information, following approval, on the Association's web-site or other social media.

Article XI: Association Finances

1. The Treasurer shall have general supervision of the Association's finances and shall keep a full and accurate account of receipts and disbursements in the Association's bank account(s) which are under the control of the Treasurer.
2. All checks drawn on the regular Association account(s) shall be signed by the Treasurer, or when necessary by other Board members authorized to sign checks in accordance with the bank signature card.
3. The Treasurer shall also be authorized to pay or approve payments using the Association credit card.
4. An audit of the financial accounts shall be performed annually and reported at the Executive Board Meeting and at the annual Membership Meeting. The auditor shall be appointed by the Association Administrator in consultation with the President.

Article XII: Association Logo & Standard Insignia

1. Association Logo

- a. The logo set forth in Appendix A to these Bylaws has been approved and adopted by the membership as the official logo of the Association.
- b. The official logo shall be used on all official documents, stationery, publications, social media, or other formal documents where an Association logo is necessary, appropriate or its use is desirable.
- c. To maintain the integrity of the official logo in all official uses as set forth above, no changes should be made to the shape, proportions, color, orientation, or font reflected on the official logo as set forth in Appendix A. Effectively, the official logo must be used as is when used in official applications.
- d. Notwithstanding the restrictions of paragraph c above, for certain promotional materials and merchandise, modifications may be necessary and may be made to meet the required and needed application. Association merchandise designs, if any, should be approved by the Association Coordination Team, and if deemed necessary, by the full Board.

2. Standard Insignia or Patch

- a. The insignia or patch of the 65th Infantry Division, while generally consistent in appearance, has been used over time with minor variations and trim. For consistency on official Association uses, the membership has approved and adopted the insignia or patch form as set forth in Appendix B to these Bylaws.
- b. As the standard insignia or patch for the Association, it should be used on all official documents, stationery, publications, social media, or other formal documents where an Association standard insignia or patch is necessary, appropriate or its use is desirable.
- c. To maintain the integrity of the standard insignia or patch in all official uses as set forth above, no changes should be made to the shape, proportions, color, or orientation reflected on the standard insignia or patch as set forth in Appendix B. Effectively, the standard insignia or patch must be used as is when used in official applications.
- d. Notwithstanding the restrictions of paragraph c above, for certain promotional materials and merchandise, minor modifications may be necessary and may be made to meet the required and needed application. While such required modifications are permitted, strict efforts should be made to adhere to the standard insignia or patch, to the extent possible. Association merchandise designs, if any, should be approved by the Association Coordination Team, and if deemed necessary, by the full Board.

3. Modifications

- a. Modifications to the official Association Logo or the Standard Insignia or Patch may be made from time to time by using the following procedure.
- b. Suggested or desired modifications or changes should be presented in writing to the Association Coordination Team, who after review, will bring the request to the full Board for its consideration.

- c. After due consideration and discussion, the Board may approve the modification for presentation to the membership for approval at the next Membership Meeting.
- d. Should the membership approve such change, the official copy in the Appendix of these Bylaws shall be appropriately updated and the modified form become the new standard for the Association.

Article XIII: Parliamentary Procedure

In all matters or procedures not provided for in these Bylaws, Robert's Rules of Order – Newly Revised shall be the standard guide to be applied. As a guide and as a small board and organization under Robert's Rules, strict parliamentary compliance with the provisions of Robert's Rules shall not be required.

Article XIV: Indemnification

The Association shall indemnify and hold harmless, for any and all costs or liability, including attorney fees, all members of the Board, past and present, and all Association members who have or are serving on any appointed committee or position at the request of the Association, who, at the Association's request, have performed or are performing, duties and undertakings for the Association and are subject to or are threatened with personal liability from any and all actions, causes of action, suits and claims of any kind or nature whatsoever, whether actual, prospective, incurred or alleged to have been incurred as a result of such duties or undertakings, provided, however, that such indemnity does not extend to any intentional breach of duty, disloyalty, acts or omissions in bad faith, intentional misconduct, knowing violations of law or transactions from which such person derives an improper and unwarranted personal benefit.

Article XV: Dissolution

1. The orderly dissolution of the Association shall be accomplished in line with the following provisions and guidelines. These provisions are not intended to promote or delay dissolution, but simply to provide an orderly process.
2. At the time of any annual reunion that the attendance by members of the Association is twenty-five or less, a motion to dissolve the Association shall be presented for consideration at the annual Membership Meeting by the President or presiding member of the Association. A decision to dissolve may be passed by a simple majority vote of the members present and in good standing.
3. Should the motion called for in paragraph 2 above not pass, the Association shall continue until the next reunion period, at which time attendance by twenty-five or less will again trigger the action called for by paragraph 2.
4. When attendance by members at an annual reunion is fifteen or less, it shall be mandatory under these Bylaws that the Association shall be dissolved within one hundred eighty (180)

days following the conclusion of the reunion. Such action shall include the termination of the Association's formal registration as a Pennsylvania non-profit corporation.

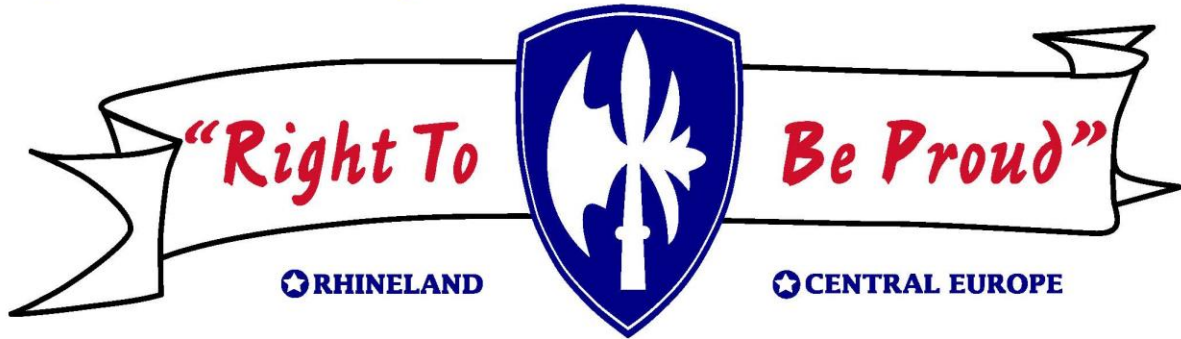
5. Members of the Association shall be encouraged to continue group meetings and gatherings as they may elect to establish.
6. When a dissolution motion is passed or dissolution is required under paragraph 4, the President shall oversee the wind-up process, with the assistance of the Association Coordination Team. Such wind-up actions shall include, but are not limited to, the following actions, to the extent reasonable and feasible:
 - a. Identify and ship, prepaid, historical files, records and memorabilia of the Association pertaining to the 65th Infantry Division, to the Mississippi Armed Forces Museum, Camp Shelby, Mississippi, for preservation, storage and display.
 - b. Pay any outstanding bills determined to be properly due and owing.
 - c. Copies of all the 65th Infantry Division History books shall be provided to:
 - i. Library of Congress
 - ii. Mississippi Armed Forces Museum, Camp Shelby, Mississippi
 - iii. The National Museum of the United States Army, Fort Belvoir, Virginia
 - iv. National Infantry Museum, Fort Benning, Georgia
 - d. Following completion of a proper accounting, any remaining funds of the Association shall, at the discretion of the Board, be donated, in whole or part, as follows:
 - i. If sufficient funds are available, consideration should be given to:
 - The preparation and publication of a final issue of *The Halbert Magazine*.
 - The possibility of maintaining online access, for an extended period, to the website of the Association.
 - ii. The Mississippi Armed Forces Museum, Camp Shelby, Mississippi
 - iii. Another highly desirable organization deemed worthy and supportive of the history and legacy of the 65th Infantry Division.
7. Following completion of arrangements to comply with these dissolution activities, the Association Chaplain shall offer a prayer on behalf of the men of the 65th Infantry Division, and pray that the actions of this Association and the final acts of dissolution will continue to be of value to the history and legacy of the men of the 65th Infantry Division.

The above 65th Infantry Division Association Bylaws were approved by a majority vote of the membership in _____ on _____.

This Bylaws document shall replace and supersede all prior versions including the last revision dated September 3, 2017.

APPENDIX A: Association Logo/Letterhead

65th Infantry Division Association



APPENDIX B: Standard Insignia/Patch

