

Wyoming Military Department
Wyoming Military Assistance Trust Fund
Emergency Rules

(For the 120 days the emergency rules are in effect, the following rules shall apply)

CHAPTER 1

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Wyoming Military Department
Wyoming Military Assistance Trust Fund
Permanent Rules

Section 1. **Authority.** These rules are promulgated by authority of W.S. 19-7-402 through 19-7-403.

Section 2. **Purpose.** The Wyoming Military Assistance Trust Fund provides conditional emergency assistance to qualified military members and dependants. The plan is established to provide emergency assistance during periods of financial hardship resulting from the military member's active duty status. The fund, however, will be used only as a last resort.

Section 3. **Plan Implementation.**

(a) The Adjutant General of the State of Wyoming shall fully implement the intent of the legislature in enacting the Wyoming Military Assistance Trust Fund as contained in W.S. 19-7-402 through 19-7-403. As the Military Assistance Trust Fund may be available only as funds are provided by the Wyoming legislature, the plan will be administered to fully utilize the authorized funds. However, if funds are curtailed, a priority shall be established to best advance the goals of the legislature in enacting the fund. The Adjutant General is the final authority in administering the Wyoming Military Assistance Trust Fund.

(b) The Adjutant General, and designees, are permitted to exercise a wide latitude of good faith discretion in administering the rules set forth herein. Moreover, except for eligibility requirements, the Adjutant General, and designees possess discretion to waive the requirements set forth herein.

(c) Evaluative Criterion For Approval (may include but are not limited to):

(i) Nature of assistance requested;

(ii) Degree of financial hardship:

(A) Current family income;

(B) Debt and Obligations;

(C) Number of dependents.

(iii) Link and causation between financial hardship and military member's

active duty status:

- (A) Change in income (based on military active duty);
- (B) Changes in employment and income status of dependents related to military member's active duty status;
- (C) Increased expenses based on military member's active duty;
- (D) Military pay problems;
- (E) Other issues of financial hardship related to military member's active duty.

- (iv) Bankruptcy filed or pending;
- (v) Pending Disciplinary Action (Military Member Only);
- (vi) Length of active duty;
- (vii) Other aid available and/or received;
- (viii) Amounts and date of any funds previously received from this fund.

(d) Approval Process.

(i) The level of approval authority is dictated by the amount of assistance requested. Each approval authority possesses the discretion to approve an amount lower than the amount requested, or to deny the request completely. The approval authority will be as stated below:

- (A) Level 1 – Wyoming Military Department State Family Program Coordinator (applications up to \$1,500.00)
- (B) Level 2 – Deputy Director of Wyoming Military Department (applications over \$1,500 to \$3,000)

(ii) Requests for over \$3,000 can only be approved by the Adjutant General, and only in extraordinary circumstances.

(iii) Appeal & Waiver Authority. The Adjutant General is the final appeal authority for:

- (A) Any requests denied in total (automatic when no assistance is initially approved);

(B) Any requests denied in part upon written request by applicant submitted to the Wyoming Military Department

Section 4. Eligible Recipients.

(a) Any member of the Wyoming national guard or a reserve unit that is based in Wyoming who has been called to active duty or active state service;

(b) Any Wyoming resident who is a member of a military reserve unit that is not based in Wyoming, if the member is called to active duty;

(c) Any other Wyoming resident performing service in the uniformed services as defined in W.S. 19-11-103(a)(ix) for any branch of the military of the United States; and

(d) Members of the immediate family of those personnel identified in paragraphs through (c) of this subsection. For purposes of this paragraph, “immediate family” means spouse and each child as defined by W.S. 2-1-301(a)(v) and, if they are dependents of the member of the military, the parents, grandparents, siblings, stepchildren and adult children of the member of the military.

(e) Recipients who meet the above status criteria must also need assistance as a last resort to address financial hardship resulting from the military member’s active duty status.

Section 5. Application Process.

(a) Eligible recipients may apply for funds, based upon legislative appropriations, by submitting a completed application packet containing:

- (i) Application for Wyoming Military Assistance Trust Fund;
- (ii) Wyoming State Auditor Form (WOLFS 109);
- (iii) Consent and authorization to release information;
- (iv) Proof of residency (if applicable);
- (v) Proof of military membership and member’s active duty status;
- (vi) Proof of dependency (if applicable);
- (vii) Military member’s most current Leave and Earnings Statement (LES) (if available);

- (viii) Substantiating Documents (if applicable, i.e. car repair estimates, rental agreement, utility bill, bank statements, employment records, etc.).

(b) Send applications to: Wyoming Military Department, ATTN: State Family Program Coordinator, 5500 Bishop Blvd., Cheyenne, WY 82009.

Section 6. **Assistance.**

(a) Payments are subject to legislative appropriation, availability of funds, and approval authority discretion.

(b) The following areas are examples of acceptable reasons for assistance. The examples may, but not necessarily do, justify receiving funds (depending on the overall situation): food, rent, utilities, emergency transportation and vehicle repair, funeral expenses, medical/dental expenses, personal needs when pay is delayed or stolen, emergency home repairs (habitability/essential areas but not home improvements), etc., as well as other emergency needs at the discretion of the approval authority.

(c) Regardless of appropriation and availability, funds shall not be used to:

- (i) Help pay for nonessentials;
- (ii) Finance ordinary leave or vacation;
- (iii) Pay fines or legal expenses;
- (iv) Help liquidate or consolidate debt;
- (v) Assist with house purchase or home improvements;
- (vi) Cover bad checks or pay credit card bills.

Section 7. **Appeals.**

(a) Applicants may appeal decisions by requesting an appeal in writing and stating the basis for the reconsideration. Send all appeals to: Wyoming Military Department, ATTN: State Family Program Coordinator, 5500 Bishop Blvd., Cheyenne, WY 82009.

(b) The appeal authority will be the level above the decision authority. Final appeal authority is the Adjutant General.

Section 8. Reporting Requirements.

(a) The Wyoming Military Department State Family Program Coordinator shall compile a quarterly report to the Adjutant General. The report shall contain information addressed in W.S. § 19-7-403, as well as any other information as directed by the Adjutant General.

(b) The Adjutant General shall compile and report fund information in accordance with W.S. § 19-7-403.