

**Title 12. Law Enforcement, Emergency Management, and Military Affairs**  
**Chapter XX. Department of the Military, Generally**  
**Subchapter A. Generally**  
**Part 130. Military Family Relief Trust Fund Operating Guide and Procedures**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"MILITARY FAMILY RELIEF TRUST FUND OPERATING GUIDE AND PROCEDURES

This regulation is established in accordance with the Arkansas Administrative Procedure Act (Act), Ark. Code Ann. §§ 25-15-201 et seq.:

Official:

Major General Kendall Penn

The Adjutant General

History. Military Family Relief Trust Fund Operating Guide and Procedures filed March 17, 2010.

Summary. This regulation implements Act No. 1028 of 2005, as amended. It includes changes through the 2015 legislative session, which includes Act No. 402 of 2015 Applicability. This regulation applies to all members or the Arkansas National Guard and Reserve Components of the Armed Forces and the families of these members.

Proponent and exception authority. The proponent of this regulation is The Adjutant General of the Arkansas National Guard. The Adjutant General has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations.

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to The Adjutant General.

Distribution. This publication is available in electronic media. Special distribution of this publication in paper will be made through channels to all levels of command in the Arkansas National Guard."

"1-1. Authority

This regulation is created pursuant to authority granted to The Adjutant General by the Arkansas Legislature through the adoption of Act No. 1028 of 2005, Act No. 827 of 2007, and Act No. 402 of 2015 (codified at Ark. Code Ann. §§ 19-5-1127 and 26-51-2506, respectively)."

**Subpart 1. Generally**

**12 CAR § 130-101. Purpose.**

(a) The Military Family Relief Trust Fund was established to provide short-term emergency financial assistance in the form of grants to members of the Arkansas National Guard and reserve components of the United States Armed Forces and/or families of these members.

(b) This fund provides a valuable means to assist and improve the morale and welfare of members of the Arkansas National Guard and reserve components of the United States Armed Forces.

**Authority.** Arkansas Code § 26-51-2506.

**12 CAR § 130-102. Administrative procedures.**

(a) Pursuant to Arkansas Code § 26-51-2506(h), the Adjutant General of the Arkansas National Guard has the responsibility to promulgate all rules necessary for implementing the grant program of the Military Family Relief Trust Fund.

(b) The Adjutant General has designated the Arkansas National Guard Foundation as the designated agent for:

- (1) The overseeing of the operation of the program; and
- (2) Approving grant applications.

(c) Funds are administered through an account maintained by the State Treasury.

(d) Members may appeal a final decision of the foundation to deny a grant to the deputy adjutant general of the Arkansas National Guard.

**Authority.** Arkansas Code § 26-51-2506.

**12 CAR § 130-103. Eligibility.**

(a) Any current member or family member of the Arkansas National Guard or a reserve component of the United States Armed Forces who is a resident of Arkansas is eligible to request assistance.

(b) Pursuant to Arkansas Code § 26-51-2506(h), eligibility criteria for receiving grants shall include, but not be limited to, the following:

- (1) The need of the family;
- (2) The pay grade of the member of the Arkansas National Guard and reserve components of the United States Armed Forces;
- (3) The difference between the member's military and civilian pay; or
- (4) Any other factors that establish the family's financial hardship.

**Authority.** Arkansas Code § 26-51-2506.

**12 CAR § 130-104. Designated agent.**

(a) The Adjutant General has designated the Arkansas National Guard Foundation (the foundation), a nonprofit organization organized under the laws of the State of Arkansas and recognized by the Internal Revenue Service as a tax-exempt organization in accordance with 26 U.S.C § 501(c)(3) of the Internal Revenue Code, to serve as the agent for administration of the Military Family Relief Trust Fund.

(b) The foundation will:

- (1) Receive grants from the Department of the Military in accordance with the department's annual budget appropriation; and
- (2) Distribute those funds in accordance with:
  - (A) Arkansas Code §§ 19-5-1127 and 26-51-2506; and

(B) Any additional guidance that the Adjutant General may issue from time to time.

(c) The foundation will develop and publish procedures for:

- (1) Accepting grant requests;
- (2) Evaluating them in accordance with statutory guidance; and
- (3) Making grants consistent with that guidance.

(d) If the foundation denies a grant, there shall be a right of appeal in accordance with guidance below.

(e) The foundation will maintain records of all grant requests and their decisions on those requests.

(f) The foundation will:

- (1) Supply the department with a copy of their annual audit; and
- (2) Make their records of grants from the Military Family Relief Trust Fund available for review to the department.

**Authority.** Arkansas Code § 26-51-2506.

**12 CAR § 130-105. Application procedures.**

(a) The member or family member's first step will normally be to contact the unit's First Sergeant or Unit Commander or full-time staff at the unit.

(b) Personnel may also contact someone in the Rear Detachment or the Family Readiness Office or local Family Assistance Center to assist in the process.

(c) Anyone who can act on the behalf of the member may apply for assistance if they have a properly executed power of attorney and proof of identification.

(d) The service member in need, family member, or unit representative on the member's behalf will prepare an application and submit to request assistance.

(e) It is preferred that the request be prepared and forwarded to the specific service representative who will verify eligibility.

(f) Each service will provide the POCs upon distribution of this information.

(g) The service representative will provide the application electronically to the Executive Director of the Arkansas National Guard Foundation for processing.

**Authority.** Arkansas Code § 26-51-2506.

**Codification Notes.** "POC" means point of contact.

**12 CAR § 130-106. Emergency Assistance Approval Committee.**

(a) The Adjutant General will appoint members of the Emergency Assistance Approval Committee to assist the Arkansas National Guard Foundation in evaluating grant requests.

(b)(1) The committee may conduct its proceedings in person or electronically.

(2) Decisions will be made by a majority vote of the committee.

(3) Electronic voting is authorized.

(c) Recommended members of the committee include:

(1) The State Senior Enlisted Advisor for the member's service or component within the state;

(2) A Family Readiness Coordinator;

(3) The State Family Programs Director;

(4) The State Full-Time Support Chaplain; and

(5) The Executive Director of the National Guard Association of Arkansas.

**Authority.** Arkansas Code § 26-51-2506.

**12 CAR § 130-107. Appeals.**

(a) Members may appeal a final decision of the Arkansas National Guard Foundation to deny a grant to the deputy adjutant general of the Arkansas National Guard.

(b) In the event of an appeal, the foundation will provide the deputy adjutant general with:

- (1) All documents relating to the grant request; and
  - (2) A statement of reasons for its decision to deny the grant.
- (c) The deputy adjutant general may:
- (1) Confirm the decision of the foundation to deny the grant; or
  - (2) Approve the grant in whole or in part.

**Authority.** Arkansas Code § 26-51-2506.

**12 CAR § 130-108. Fund sources.**

(a) Pursuant to Arkansas Code § 26-51-2506(c), the Revenue Division of the Department of Finance and Administration includes on Arkansas individual income tax forms a reference to the Military Family Relief Check-off Program where individuals can donate money to the Military Family Relief Trust Fund.

(b) Pursuant to Arkansas Code § 26-51-2506(d)(1), the Secretary of the Department of Finance and Administration may accept any gift, grants, bequests, devises, and donations made to the State of Arkansas for the purpose of funding the Military Family Relief Check-off Program.

**Authority.** Arkansas Code § 26-51-2506.

**12 CAR § 130-109. Contact information.**

Current members or family members of the Arkansas National Guard or a reserve component of the United States Armed Forces may contact the Arkansas National Guard Foundation at its offices on Camp Joseph T. Robinson:

- (1) By calling (501) 758-6422; or
- (2) Through its website at <https://www.angf.us/>.

**Authority.** Arkansas Code § 26-51-2506.