

# MEMO

**TO:** Judge Curtis Parrish

**CC:** Commissioner Terence Kovar, Precinct 1; Commissioner Jason Corley, Precinct 2; Commissioner Gilbert Flores, Precinct 3; Commissioner Chad Seay, Precinct 4

**FROM:** D. Gene Valentini

**DATE:** July 15, 2022

**RE:** 07/25/22 Agenda Item: Consider approval of Form 424 and the Recertification letter for FY23 USDA Mediation Program

In the way of a summary for this agenda item, we are providing the same information we have historically submitted to USDA. The requirements under the grant have not changed.

**Program Objective:** To provide Alternative Dispute Resolution options to Rural Texans; specifically mediation for a wide range of disputes authorized by federal law that may or may not involve the United States Department of Agriculture (USDA). The Office of Dispute Resolution has provided this service since 2000 when Senator Duncan requested and received Governor Bush's approval. Lubbock County was named the service provider and grant recipient in May 2004 by Governor Perry. Governor Abbott has also reaffirmed prior designations.

**Purpose of Form 424:** Officials in Washington, DC require a *pre-application* from each state requesting an Agricultural Mediation Program grant. These pre-applications are used to calculate the funding necessary to meet the needs of all states. Typically, federal funding is 60-70% of the pre-application amount to states so not to exceed the Congressional appropriations. For FY21, USDA awarded Texas \$300,000 for mediation services.

**Amount Requested:** The Agricultural Mediation Program grant allows for carry-over of unused funds from one year to the next. Due to the federal funding process, we plan to request that unused funds at the end of FY22 be carried over to FY23. This allows services to continue uninterrupted during the subsequent first and second quarters of the next fiscal year. Our FY23 request mirrors FY22, including funding for two specific outreach activities. These activities are the Annual John Huffaker Agricultural Law Course which we co-sponsor with the State Bar of Texas and outreach efforts for financial institutions. Our collaboration with the Texas Department of Agriculture will continue in FY23.

**Match Sources:** Form 424 requests a break-down of non-Federal funds expected to be incorporated into the program. The majority of these funds are in-kind match from organizations, such as the State Bar of Texas, and individuals with similar goals of making resources available to Rural Texans.

Mediations: Over the years, mediations have focused on USDA programs such as FSA, RD, RMA, and NRCS. These agencies have encountered a reduction and closing of offices. This has caused most mediations to be audio or virtual sessions rather than face to face. About 95% of these cases are mediated virtually, as well cases sanctioned by the Texas Department of Agriculture.

Neal Burt has the original packet to be signed.