

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS**

JARROD MCKINNEY, Plaintiff, v. THOMAS J. VILSACK, in his official capacity as U.S. Secretary of Agriculture; ZACH DUCHENEAUX, in his official capacity as Administrator, Farm Service Agency, Defendants.	§ § § § § § § § § § §	Civil Action No. 21-cv-00212-RWS
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**DECLARATION OF JARROD MCKINNEY IN SUPPORT OF
PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION**

1. The facts set forth in this declaration are based on my knowledge and, if called as a witness, I can competently testify to their truthfulness under oath. As to those matters that reflect a matter of opinion, they reflect my personal opinion and judgment upon the matter.

2. I am a citizen of the United States and live in Naples, Texas.

3. I am a part-time farmer, and I work on my farm from 5 p.m. to 10 p.m. every day after I finish my day job at an insurance agency. My grandfather and great-grandfather were both farmers.

4. Like many farmers in the region, I primarily raise cattle, and I currently have 60 pairs of cattle.

5. To help finance my farming operations, I obtained a loan of approximately \$185,000 from the U.S. Department of Agriculture's Farm Service Agency in 2019. It is a Farm Ownership loan administered by FSA and qualifies as a "farm loan" under Section 1005 of the American Rescue Plan Act of 2021. I used this loan to buy additional land and increase the size of my farm. As of January 1, 2021, this loan had a remaining balance of over \$180,000

6. The required payment on this outstanding loan is a significant portion of my monthly income. If this obligation were forgiven, I could use the saved money to invest in my farm, expand my business, or support my family.


7. I identify as white or Caucasian, including in documents submitted to the USDA and the Farm Service Agency. My wife, Brittany Berry McKinney, who is listed as a co-borrower on my farm loan, is also Caucasian.

8. I was very surprised when I learned that Section 1005 of the American Rescue Plan Act of 2021 created a loan assistance program that excludes white farmers and ranchers like me on the basis of race. I experienced economic hardship due to the COVID-19 pandemic, but I am excluded from this program simply because of the color of my skin even though it was part of the COVID-19 relief bill.

9. I brought this lawsuit to vindicate my right, and the right of all individuals, to be treated equally by the government without respect to race.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: June 10, 2021.



JARROD MCKINNEY