U.S. Department of Labor

Office of the Administrator
Wage and Hour Division
Washington, D.C. 20210

September 28, 2026

The Honorable Charles E. Grassley
Chairman, Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Richard J. Durbin
Ranking Member, Committee on the Judiciary
United States Senate
711 Hart Senate Office Building
Washington, D.C. 20510

Re: Nomination of Bradford J. Kelley to the United States District Court for the Eastern District of Louisiana

Dear Chairman Grassley and Ranking Member Durbin:

I write enthusiastically in support of the nomination of Brad Kelley to serve as a United States District Judge for the Eastern District of Louisiana. For several years, I worked side by side with Brad in two federal law enforcement agencies—the Wage and Hour Division and Equal Employment Opportunity Commission—across much of the previous two administrations. We worked closely together to resolve complicated regulatory, legal, and policy matters. Through it I consistently observed his legal acumen, judgment, integrity, and respect for the law. This experience allowed me to get to know Brad not only as a friend but also as an attorney, colleague, co-author, and counselor. I am confident he will make an excellent trial judge.

Our work at the Department of Labor required proper application of a comprehensive understanding of statutory law, administrative rules, subregulatory guidance, and, most important, the ways in which the Supreme Court and federal courts of appeals had evaluated and treated all these—over more than eight decades. Brad labored to assimilate these often wide-ranging strands of history, regulation, and law into a thoughtful and cohesive answer, an analysis that worked from authority toward the answer, and not from a predetermined outcome back toward whatever subset of the evidence in support. It should come as no surprise that much of his work still stands as Wage and Hour Division authority today.

Brad and I both transferred to the EEOC, each to be chief counsel for a commissioner. Despite formally working in different offices, we continued our work together to review and analyze the myriad of matters that came before the Commission. These included a constant stream of litigation recommendations from the General Counsel, proposals for the Commission to participate in federal court litigation as amicus curiae, federal sector civil rights cases, and requests for determinations

regarding agency subpoenas. Each matter required close analysis of often-extensive factual records, governing civil rights law, administrative and federal cases, and, especially, the procedural posture and rules. This required not only a detailed knowledge of the federal rules applicable in federal court, but also those that applied in agency administrative proceedings. Brad's impressive knowledge and skillful application of law and procedure was evident to all at the agency who engaged with him.

Finally, while at the Commission, Brad played a critical role in the revision and updating of important guidance, most notably USERRA-ADA materials of considerable value to employers and employees throughout the nation. He has always been a lawyer who takes the time to do the work, digs into the details, reaches a considered view even if unpopular, and has the confidence and integrity to stand by it.

There is no doubt that Brad has displayed—in public service and private practice—the knowledge, skills, and experience critical to being a distinguished district judge. But being a judge requires more than intelligence, hard work, thoughtfulness, and dedication to the rule of law. It also requires character, wisdom, judgment, integrity, and an even temperament. My confidence and recommendation of Brad stems just as much from the consistent evidence of these most important traits. He is both fair-minded and independent. Most important, his concern has always been to apply the law reasonably and consistently, even when inconvenient, or unpopular.

There are few colleagues in my time in government service that I could recommend more highly and confidently than Brad to serve on the federal bench. I support his nomination without reservation and, respectfully, urge that this Committee report his nomination favorably and that the Senate confirm him.

Respectfully submitted,



Andrew B. Rogers
Administrator
Wage and Hour Division
United States Department of Labor