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*The ABA Section of Administrative Law and Regulatory Practice-
From Objector to Protector of the APA*

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Abstract by Ryann Kathleen Bernard

The American Bar Association (ABA) was originally an opponent to legislation allowing administrative agencies the authority to decide cases and make rules, but the ABA actually came to endorse, albeit somewhat warily, the passage of the Administrative Procedure Act (APA). Due to its hesitancy about the APA, the ABA created the Section of Administrative Law (Section) to advocate for the integrity of the APA and prevent exemptions for its requirements. Many agencies sought such exemptions during the 1950s, and the Section was not always able to prevent them. Research studies of administrative procedure were encouraged by the Section and the Senate Judiciary Committee accepted the Section's recommendation that it create a Special Subcommittee on Administrative Procedure. During the 1960s, the ABA authorized the Section to participate directly in agency proceedings for the adoption or amendment of procedural regulations. The 1970s saw the Section focusing on post-Watergate openness laws and reconsidering its opposition to legislative veto of agency regulations. The Section was involved in various regulatory issues during the 1980s and 1990 - it advocated for legislation and hosted prestigious conferences. The author concludes by noting the Sections critique of various regulatory reforms struck down by the 104th Congress, which are being stripped down in anticipation of passage by the 105th Congress.