

Senator LONG. Our next witness is Professor Nathanson of the School of Law, Northwestern University, who, is one of the recognized authorities on administrative law. I believe you too were on the Council of the other Conference.

We have a biographical sketch of you, which will be placed in the record.

(The biographical sketch of Professor Nathanson is as follows:)

Nathanson, Nathaniel L(ouis), professor of law; born New Haven; December 21, 1908; son of Samuel Jacob and Lillian (Dante) N.; A.B., Yale, 1929, LL.B., 1932; S.J.D., Harvard, 1933, Rosenwald fellow, 1932-33; married Leah Smirnow, June 22, 1941. Admitted to Massachusetts bar, 1933, U.S. Supreme Court bar, 1942, Illinois bar, 1946; law clerk, U.S. Circuit Judge Julian W. Mack, 1933-34, U.S. Supreme Court Justice Louis D. Brandeis, 1934-35; attorney SEC, 1935-36; assistant professor of law, Northwestern University, 1936-41, associate professor, 1941-45, professor, 1945-; associate general counsel, OPA, Washington, 1942-45; visiting professor of law, Stanford, 1948, Rutgers University 1954; Fulbright professor, University of Tokyo, 1954-55; associate Sonneschein, Berkson, Lautmann, Levinson, & Morse, 1949; cons. Indian Law Institute, New Delhi, 1958; member Public Utility Laws Commission of Illinois, 1951. Executive committee Anti-Defamation League, Chicago, 1950-56; vice-chairman, Illinois Division, American Civil Liberties Union. Member American, Chicago bar associations, American Association University Professors, Order of the Coif. Jewish religion. Coauthor: Federal Regulation of Transportation, 1953; Administrative Law: Cases and Materials, 1961. Editor-in-chief, Yale Law Journal, 1931-32. Contributed articles to legal journals. Home: 115 Third Street, Wilmette, Ill. Office: 357 East Chicago Avenue, Chicago.

STATEMENT OF PROF. N. L. NATHANSON, SCHOOL OF LAW,
NORTHWESTERN UNIVERSITY, CHICAGO, ILL.

Professor NATHANSON. Thank you, Mr. Chairman. I appreciate the opportunity to appear before you. I didn't prepare any elaborate statement because I was pretty sure that Judge Prettyman and Dean Landis would cover almost everything I might think of saying. Consequently, I want only to make some comments on the comments that they have already made.

I might say, to begin with, that I came to this whole operation of the Conference with some skepticism as Judge Prettyman may remember, and perhaps therefore it might be of some special interest to indicate how my skepticism was gradually overcome.

In the first place, I had some skepticism born of my previous experience with Government work and also of my own academic work, that the problems of administrative law were sufficiently general and common, you might say, to the various agencies, to warrant the belief that a Conference of all the agencies together would contribute substantially to the solution of difficult problems of administrative procedure.

In the second place, I had some doubt that the agencies themselves could seriously engage in self-examination of what they were doing.

In the third place, I had some doubt that lawyers from private practice could give enough time and effort to the problems involved, and also could disassociate themselves from the attitudes naturally born of their private practice to examine with some objectivity the problems that had to be faced.

I can say quite sincerely that although my original skepticism had some justification, I was very much enlightened and pleased to find how much those grounds of skepticism could be overcome by the actual experience of the Conference.