GWU US-EU Conference

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Richard J. Pierce Jr.

US Sequence

• Congress enacts statute
• Agency uses n & c to issue rule
• OIRA review if major rule
• Judicial Review
• Rule implemented by issuing agency

EU Sequence

• Agency uses n & c to develop rule
• Agency engages in impact assessment—like OIRA review but broader and more transparent
• Parliament enacts rule
• No judicial review
• Rule implemented by member nations through use of subsidiarity