

PREFACE AND ACKNOWLEDGMENTS

The Executive Summary and Introductory Chapter which follow serve many of the purposes of a preface to the present book.

This Preface is limited to giving some brief background on the project from which this book emanates and to acknowledging the contributions of particular persons and entities.

Some years ago the Section of Administrative Law and Regulatory Practice embarked on an ambitious and long-term project for bringing about a better understanding among various U.S. constituencies of the administrative processes of the European Union. An extraordinary assemblage of individuals combined their resources to make this achievement possible. A group of mostly U.S. academics and practitioners undertook to investigate and present in a thoughtful and comprehensive way the administrative law workings of the EU. They are the authors of the substantive chapters that follow. Each of these teams was aided by an extensive network of advisors, in the U.S. and EU alike, whose input in helping to ensure completeness and accuracy was indispensable to the final product. For the project parts on Adjudication and Rulemaking in particular, a group of Europe-based legal practitioners prepared careful sector-specific analyses so as to be sure that the general conclusions drawn in those parts are informed by concrete experiences in a range of adjudicatory and rulemaking sectors. The roles played by each contributing individual may be identified in the project organization chart appended to this volume as Appendix 1.

As Chief Reporter and Assistant Chief Reporters for this project, we wish to thank immensely all of these persons whose individual contribution enabled us to produce a work that, we hope, properly reflects the remarkably interesting and important administrative processes to be found at the EU level.

We wish to thank the Section of Administrative Law and Regulatory Practice for its constant support of the project over the past several years, and in particular Neil Eisner, Past Chair of the Section, for guiding the project from beginning to end. .

At the risk of overlooking individuals whose specific mention is appropriate, special recognition is owed to the persons within the Legal Service of the Commission (in particular Patrick Hetsch, Xavier Lewis and various colleagues), the Secretariat-General of the Commission (in particular Lars-Mitek Pedersen and various colleagues), several directorates-general of the Commission (in particular Jan Frydman of DG Trade and Enterprise and his colleagues), the Parliament Legal Service (in particular Kieran Bradley), the Council Legal Service, and the European Court of Justice (in particular Kurt Riechenberg) for the patience and generosity with which they provided information and criticism to those responsible for the book and its content. Thanks too to the U.S. Mission to Brussels for its constant support, and in particular to Ambassador Boyden

Gray and to special assistant, Michele Dastin. For the full list of those who lent their energy and knowledge, please consult Appendix 1.

Valuable financial assistance was provided by the Trade Delegation of the European Commission to the United States; Citizens for a Sound Economy; Foley & Lardner LLP; Ropes & Gray LLP; Steptoe & Johnson LLP; Wilmer Hale LLP; Suffolk University; Morgan Stanley; American Chemistry Council; and Yeshiva University Cardozo School of Law, and for this the Reporters express their gratitude.

It bears particular and repeated emphasis that, despite all this invaluable help, none of these individuals or entities bears any responsibility for the content of this volume. This is especially so of the European Union institutions and their personnel, whose generosity was acknowledged above. While they have offered information and comments over the life of this project, no views or statements in the present volume may be ascribed to them. The chapters reflect alone the understandings and views of their respective authors.

Much of the hard administrative work in bringing this project to fruition in support of the project's Chief Reporter was performed by Darlene Corrigan, former Director of International and Comparative Law Initiatives at Columbia Law School.

A last and profound expression of gratitude is owed to Vincent DeLuca, successor as Director of International and Comparative Law Initiatives at Columbia Law School. Vincent devoted countless hours of skilled and tactful service in gathering the chapters that follow, preparing them for publication through editing, style conformity and correspondence with authors – and specifically in helping to ensure that the changes to EU law brought about by the Treaty of Lisbon, signed and partially ratified, but not as yet fully ratified or in force at the time of the book's publication were adequately reflected in the appropriate places. To him, a particularly great debt is owed.

Chief Reporter

George A. Bermann,
Jean Monnet Professor of Law and Director of
European Legal Studies Center
Columbia Law School

Assistant Chief Reporters

Charles H. Koch, Jr.,
Woodbridge Professor of Law
William and Mary Law School

James T. O'Reilly,

Professor, College of Law
University of Cincinnati