

JASON WEBB YACKEE

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EXPERTISE & PRIMARY INTERESTS

International Law; Administrative Law; Commercial Law; Law and Society; Law and Political Science.

ACADEMIC PUBLICATIONS

Jason Webb Yackee, Essay: *Investment Treaties and Investor Corruption: An Emergent Defense for Host States?* VA. J. INT'L L. (forthcoming 2012).

Jason Webb Yackee & Susan Webb Yackee, "Delay in Notice and Comment Rulemaking: Evidence of Systematic Regulatory Breakdown?" in REGULATORY BREAKDOWN? THE CRISIS OF CONFIDENCE IN U.S. REGULATION (Cary Coglianese & Chris Carrigan, eds) (forthcoming 2012).

Jason Webb Yackee, *Controlling the International Investment Law Agency*, __ HARV. INT'L L.J. __ (forthcoming 2012)

Jason Webb Yackee & Susan Webb Yackee *Testing the Ossification Thesis: An Empirical Examination of Federal Regulatory Volume and Speed, 1950-1990*, __ GEO. WASH. L. REV. ____ (forthcoming 2012).

Jason Webb Yackee, *Do Bilateral Investment Treaties Promote Foreign Direct Investment? Some Hints from Alternative Evidence*, 51 VA. J. INT'L L. 397 (2010).

Jarrold Wong & Jason Webb Yackee, "The 2006 Procedural and Transparency-Related Amendments to the ICSID Arbitration Rules: Model Intentions, Moderate Proposals, and Modest Returns", in YB ON INT'L INVESTMENT L. (Karl Sauvant, ed. 2010) (Oxford Univ. Press) (peer reviewed).

Jason Webb Yackee & Susan Webb Yackee, *Is Agency Rulemaking "Ossified"? An Empirical Examination of Congressional, Presidential, and Judicial Constraints from 1983 to 2006* 19 J. PUBLIC ADMINISTRATION RESEARCH & THEORY 261 (2010) (peer reviewed).

Jason Webb Yackee, 103 AMER. J. INT'L L. 629 (2009) (review of ALVAREZ, GUILLERMO AGUILAR, & W. MICHAEL REISMAN (EDS.). THE REASONS REQUIREMENT IN INTERNATIONAL INVESTMENT ARBITRATION: CRITICAL CASE STUDIES).

Jason Webb Yackee & Susan Webb Yackee, *Divided Government and U.S. Federal Regulatory Output*, 3 REGULATION & GOVERNANCE 128 (2009) (peer reviewed).

Jason Webb Yackee, *Toward a Minimalist System of International Investment Law?*, 32 SUFFOLK TRANSNATIONAL L. REV. 303 (2009) (symposium contribution).

Jason Webb Yackee, "Do BITs Really Work? Revisiting the Empirical Link between Investment Treaties and Foreign Direct Investment", in THE EFFECT OF TREATIES ON FOREIGN DIRECT INVESTMENT: BILATERAL INVESTMENT TREATIES, DOUBLE TAXATION TREATIES, AND INVESTMENT FLOWS (Sauvant & Sachs, eds. 2009) (Oxford Univ. Press).

Jason Webb Yackee & Susan Webb Yackee. "Is the Bush Bureaucracy Any Different? A Macro-Empirical Examination of Notice and Comment Rulemaking under '43'", in PRESIDENT GEORGE W. BUSH'S INFLUENCE OVER BUREAUCRACY AND POLICY: EXTRAORDINARY TIMES, EXTRAORDINARY POWERS 41-59 (Colin Provost & Paul Teske, eds. 2009) (Palgrave Macmillan).

Jason Webb Yackee, *Pacta Sunt Servanda in the Era before Bilateral Investment Treaties: Myth & Reality*, 32 FORDHAM INT'L L. J. 1550 (2009).

Jason Webb Yackee, *Bilateral Investment Treaties, Credible Commitment, and the Rule of (International) Law: Do BITs Promote Foreign Direct Investment?*, 42 LAW & SOCIETY REV. 805 (2008) (peer reviewed).

Jason Webb Yackee, *Conceptual Difficulties in the Empirical Study of Bilateral Investment Treaties*, 33 BROOKLYN J. INT'L L. 405 (2008).

Jason Webb Yackee. *Do We Really Need BITs? Toward a Return to Contract in International Investment Law* 3 ASIAN JOURNAL OF WTO AND HEALTH LAW 121 (2008) (symposium contribution; peer reviewed).

Jason Webb Yackee, *Nearly Fifty Years Late to the Party? A New International Convention for Non-Arbitral Forum Selection Agreements*, 23 INT'L LITIGATION Q. 1 (2006), *reprinted in* CONFLICT MANAGEMENT—ADR NEWSLETTER (Winter 2005) (practitioner oriented).

Jason Webb Yackee & Susan Webb Yackee, *A Bias Toward Business? Assessing Participant Influence in Notice and Comment Rulemaking*, 68 J. POLITICS 128 (2006) (peer reviewed).

Jason Webb Yackee, *Are BITs Such a Bright Idea? Exploring the Ideational Basis of Investment Treaty Enthusiasm*, 12 U.C. DAVIS J. INT'L L. & POL'Y 195 (2005) (symposium contribution).

Jason Webb Yackee, *Choice of Law Considerations for International Forum Selection Agreements: Whose Law Applies?*, 9 UCLA J. INT'L LAW & FOREIGN AFFAIRS 43 (2004); cited by *Yavuz v. 61 MM, Ltd.*, 465 F.3d 418 (10th Cir. 2006); *Phillips v. Audio Active, Ltd.*, 494 F.3d 378 (2d Cir. 2007).

Thomas Oatley & Jason Yackee, *American Interests and IMF Lending*, 41 INT'L POLITICS 429 (2004) (peer reviewed).

Jason Webb Yackee, Note: *A Matter of Good Form: The (Downsized) Hague Judgments Convention and Conditions of Formal Validity for the Enforcement of Forum Selection Agreements*, 53 DUKE LAW J. 1179 (2003).

PROFESSIONAL EXPERIENCE

Assistant Professor, University of Wisconsin Law School. July 2007-present.

- **Courses Taught:** Contracts I; International Commercial Arbitration; International Investment Law; International Business Transactions

Fellow, Gould School of Law, University of Southern California. August 2005–July 2007.

- **Courses Taught:** International Investment Law; The Law of NAFTA.

Law Clerk, Chief Judge James B. Loken, United States Court of Appeals for the Eighth Circuit, Minneapolis, MN. August 2004–August 2005.

Summer Associate, Steptoe & Johnson LLP, Washington, D.C. Summer 2003; Summer 2004.

Summer Law Clerk, United States Department of Commerce, Office of the Chief Counsel for International Commerce. Summer 2002.

Teaching Assistant, University of North Carolina at Chapel Hill, Department of Political Science. August 1998–May 2001.

- **Courses Taught:** Introduction to International Relations.

EDUCATION

University of North Carolina at Chapel Hill. Ph.D., Political Science. May 2007. **M.A.**, Political Science. December 1999.

- Dissertation Title: Sacrificing Sovereignty: International Dispute Settlement and Foreign Direct Investment.
- Award for Outstanding Research by a Graduate Student for “The Politics of IMF Lending.” 2000.

Duke University School of Law, Durham, NC. **J.D., Highest Honors.** May 2004.

- GPA: 3.96; (99th percentile); Order of the Coif.
- Duke Law Journal. Staff Editor.

University of Pittsburgh, Pittsburgh, PA. **B.A.**, Political Science, with West European Studies Certificate. April 1996 (Summa Cum Laude; Phi Beta Kappa Society).

FOREIGN EDUCATION & TEACHING

Thammasat University, Bangkok, Thailand. Taught short course in International Business Transactions to Thai LLM students. June 2010.

Université Panthéon-Assas/Paris-II, France. Law Student Exchange Program. Fall 2002.

L’Institut Catholique de Paris, France, Cours Universitaires d’Eté. **Certificate**, Advanced Foreign Language Study (French). Summer 2000; Summer 1998.

University of Pittsburgh Summer Language Program, Nantes and Paris, France. 1995.

EXTERNAL FUNDING & AWARDS

Searle Young Legal Scholars Research Fellowship, Federalist Society for Law & Public Policy Studies (2009-2010), for *Is Regulatory Ossification a Reality? An Empirical Examination of Federal Rulemaking, 1950-1990*.

Midwest Political Science Association Award for Best Paper by an Emerging Scholar (Conference-wide award for *Is Agency Rulemaking “Ossified”?*). 2008.

National Science Foundation Dissertation Completion Grant (peer reviewed). 2004.

Duke University Center for European Studies Grant for Foreign Legal Study. 2002.

Duke University School of Law Merit Scholarship. 2001.

Foreign Language and Area Studies Grant for Summer Language Study. 1998.

National Science Foundation/Ford Foundation Fellowship for the Study of Democracy. 1997–1998.

OTHER LAW-RELATED PUBLICATIONS

Jason Webb Yackee, *How much do U.S. corporations know (and care) about bilateral investment treaties? Some hints from new survey evidence*, Columbia FDI Perspectives, No. 31, November 23, 2010 (peer reviewed research summary).

Jason Webb Yackee, *Case Closed: Precedent shows Bush's amendment is misplaced fundamentally*, ANN ARBOR NEWS, March 7, 2003 (guest editorial).

SIGNIFICANT PROFESSIONAL SERVICE

Co-vice Chair, American Society for International Law International Economic Law Interest Group, 2011-2012.

CONFERENCE PAPER AND OTHER INVITED PRESENTATIONS

Investment Treaties and Investor Corruption: An Emergent Defense for Host States?, paper presented at the 2011 Taipei International Arbitration Conference, Taipei, Taiwan, August 2011.

Controlling the International Investment Law Agency, presented at the Big Ten Untenured Law Professor Conference, Indiana University Maurer School of Law, August 2011.

International Trade Law and International Investment Law: Convergence or Divergence, 105th Annual Meeting of the American Society for International Law, Washington, D.C., March 2011 (invited panelist).

Regulatory Ossification a Reality? An Empirical Examination of Federal Rulemaking, 1950-1990, presented at the Florida State University School of Law, Feb. 2011.

Regulatory Ossification a Reality? An Empirical Examination of Federal Rulemaking, 1950-1990, presented at the University of Texas-Austin School of Law, Jan. 2011.

Regulatory Ossification a Reality? An Empirical Examination of Federal Rulemaking, 1950-1990, presented at the Vanderbilt University School of Law, Jan. 2011

Regulatory Ossification a Reality? An Empirical Examination of Federal Rulemaking, 1950-1990, presented at the Federalist Society for Law & Public Policy Studies Faculty Conference, San Francisco, Jan. 2011.

Do Bilateral Investment Treaties Promote Foreign Direct Investment? Some Hints from Alternative Evidence, presented at the University of Georgia Law School International Law Colloquium, Jan. 2011.

Do Bilateral Investment Treaties Promote Foreign Direct Investment? Some Hints from Alternative Evidence, presented at the biennial conference of the American Society for International Law's International Economic Law Interest Group, University of Minnesota Law School, November 2010.

Empirical Methods and the Study of Bilateral Investment Treaties, presented at the Transnational Law Project workshop, London School of Economics, September 1, 2010.

Do Bilateral Investment Treaties Promote Foreign Direct Investment? Some Hints from Alternative Evidence, presented at the 2010 annual conference of the Law & Society Association, Chicago.

Do Bilateral Investment Treaties Promote Foreign Direct Investment? Some Hints from Alternative Evidence, presented at the 2010 annual conference of the Midwest Political Science Association, Chicago.

Discussant/Chair, panel on "Managing Cross-Border Investment Disputes", annual conference of the International Studies Association, New Orleans, Feb. 2010.

Discussant, American Society for International Law conference on "Risk, Science and Law in International Governance", Chicago-Kent Law School, Dec. 5, 2009.

Is Agency Rulemaking "Ossified"? An Empirical Examination of Congressional, Presidential, and Judicial Constraints from 1983 to 2006, presented at the 2008 annual conference of the Midwest Political Science Association

Partisanship and Foreign Direct Investment Policy, presented at the 2008 annual conference of the Midwest Political Science Association.

Do We Really Need BITs? Toward a Return to Contract in International Investment Law, Paper Prepared for the International Conference on Bilateral Investment Agreements: Protection, Promotion, and Development of International Investment 28-29 November 2007, Taipei, Taiwan ROC.

Is the Bush Bureaucracy Any Different? A Macro-Empirical Examination of Notice and Comment Rulemaking under "43", presented at the Conference on Politics and Policy Making in the Bush Administration Federal Bureaucracy, University of Oxford, June 22-23 2007.

Welfare States and World Markets: Does Economic Openness Really Matter?, presented at the 2005 Annual Conference of the Midwest Political Science Association, Chicago, IL.

Ideas and the Spread of Bilateral Investment Treaties, Presented at the U.C. Davis Journal of International Law and Policy's Spring 2005 Symposium.

An Empirical Assessment of Participant Influence in U.S. Agency Rulemaking, presented at the 2004 Annual Conference of the Midwest Political Science Association, Chicago, IL.

The Political Determinants of IMF Lending, presented at the 2000 Annual Conference of the Midwest Political Science Association, Chicago, IL.

LANGUAGE SKILLS

Advanced proficiency in French; basic knowledge of Spanish.