

## MATTHEW PAUL SCHAEFER

mschaefer1@UNL.EDU

(402) 472-1238

### PROFESSIONAL POSITIONS & ACTIVITIES

2006-present

#### UNIVERSITY OF NEBRASKA COLLEGE OF LAW, Lincoln, NE

**Director, Space and Telecom Law Initiative and LL.M. Program.** Teach Space Law course in Fall 2006 semester. Plan and Organize major space law conference titled "Security and Risk Management in a New Space Era: Military, Commercial and Tourism Dimensions" March 2, 2007. Develop curriculum and assist Dean in the university and external approval processes for new LL.M. program in Space and Telecom Law. Assist Development Director in fundraising for program. Identify faculty members and assist Dean in faculty recruitment for program. Market program and answer media inquiries.

1995 - present

#### UNIVERSITY OF NEBRASKA COLLEGE OF LAW, Lincoln, NE

**Full Professor with tenure.** Tenure approved by Board of Regents August 2001 upon recommendation of faculty (unanimous), Associate Professor (2001-2004), Assistant Professor (1995-2001). Teach courses in following areas of expertise: International Trade Law, International Trade Law & Policy, Public International Law, International Business Transactions, American Foreign Affairs Law & Policy, and Space Law. Coordinate and advise the International Law Society (1995-present), Jessup Moot Court team (1997, 1998, 2003), and Jessup intramural competition (1996, 1997, 1998, 2001, 2002). Serve on the Awards Committee (1996-2003), Faculty Hiring/Recruitment Committee (2002-2004, 2007-present as Chair), Dean Search Committee (1997-98), Academic Senate (1997-98; 2000-2003), Upper Level Curriculum Committee (2001-02), Admissions Committee (2004-2006), Allen Moot Court Coordinator (2004-06) and Lectureship Committee (2002-03). Visiting Professor at Florida State in the Spring of 2002.

1999

#### NATIONAL SECURITY COUNCIL/NATIONAL ECONOMIC COUNCIL THE WHITE HOUSE

##### Director, International Economic Affairs Office

Focused on the following issues: World Trade Organization negotiations and dispute settlement, Asia-Pacific Economic Cooperation, EU - U.S. Trade Disputes, Trade Reports And Trade Remedies (Special 301, Title VII, Section 337, Section 201, Section 301 Committee), Sanctions Reform (general and food/medicine sanctions).

2003-present

#### COUNCIL ON FOREIGN RELATIONS, New York City, NY

##### Academic Advisory Board Member

Participant in National Member Conference Call Program; Make Recommendations on Outreach to Academic Community; Participate and invite my students to participate in the Academic Outreach Conference Call Series (one of the ideas I proposed to the Council).

2000 -present

#### CANADA - UNITED STATES LAW INSTITUTE, Cleveland, OH

##### Advisory Board Member

2001 -present

#### JOURNAL OF INTERNATIONAL ECONOMIC LAW

##### Editorial Board Member

2001-2003

#### INTERNATIONAL ECONOMIC LAW INTEREST GROUP OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW, Washington, D.C.

##### Vice-Chair

### EDUCATION

12/91 - 8/93

#### UNIVERSITY OF MICHIGAN LAW SCHOOL

*S.J.D., 12/98*

*LL.M. in International Law, 9/93*

- Scholarly Writing Award, 12/92

## EDUCATION (continued)

- Salzburg Seminar, "Perspectives on Federalism" (Salzburg, Austria), 7/93

7/91 - 11/91

### AUSTRALIAN NATIONAL UNIVERSITY

#### *Ford Foundation Fellowship*

- High Distinction in International Law of Environment & Investment
- Distinction in Australian Constitutional Law

9/88 - 5/91

### UNIVERSITY OF MICHIGAN LAW SCHOOL

#### *J.D. Magna Cum Laude, 5/91*

- William W. Bishop, Jr. Award for Performance With Distinction in the Field of International Law
- Order of the Coif
- Certificate of Merit for Highest Grade in International Trade Law Course
- Book Award for First-year Writing and Advocacy Class
- Class Rank: Top 7% (26 out of 396)

9/83 – 12/87

### UNIVERSITY OF CHICAGO

#### *B.A. With Honors* in Economics and General Honors, 12/87

- Dean's List for Two Years

## SCHOLARSHIP IN PROGRESS

"EU-US Trade and Foreign Policy Relations After Enlargement and Constitution: Unfounded Counterweight Fears, Enhanced Recognition of Exceptionalism and Inklings of Modest Change" (draft being revised)

Continuing Misconceptions About the Impact of International Trade Agreements on U.S. Federalism: The Beer II Case, Its Legacy, and Recent Developments" (draft being revised and updated)

## PUBLICATIONS

"Ensuring that Regional Trade Agreements Complement the WTO System: US Unilateralism a Supplement to WTO Initiatives?," *Journal of International Economic Law*, Vol. 10, (2007)

"The Role of Non-Governmental Organizations in Canada – U.S. Relations," *Canada – U.S. Law Journal*, Vol. 30, pp. 69-88 (2004).

"Government Procurement Disputes: Lessons from the Dispute Over the Massachusetts 1996 Act Regulating State Contracts with Companies Doing Business in Burma," (Petersmann, ed.), *Transatlantic Economic Disputes* (Oxford Univ. Press 2003).

"Trade in Waste Between the United States and Canada: Environmental or Trade Issue?," *Canada-U.S. Law Journal*, Vol. 28, pp. 103-114 (2002) (published speech format).

"Sovereignty, Influence, Realpolitik and the World Trade Organization," *Hastings Journal of International and Comparative Law*, Vol. 25, pp. 341-370 (2002).

"Note on State Involvement in Trade Negotiations, the Development of Trade Agreement Implementing Legislation, and the Administration of Trade Agreements," in Jackson, Davey, & Sykes, *Legal Problems of International Economic Relations*, pp. 137-139 (4<sup>th</sup> ed., 2002).

"Conscientious State Legislators and the Cultures of Compliance and Liberalization Relating to International Trade Agreements," *Proceedings of the American Society of International Law* 52-58 (2001).

"Federal States in the Broader World," *Canada-U.S. Law Journal*, Vol. 27, pp. 35-43 (2001) (in published speech format).

"U.S. States, Sub-Federal Rules, and the World Trading System," in Bronckers and Quick (eds.), *New Directions in International Economic Law*, pp. 523-539 (2000).

## PUBLICATIONS (continued)

"State Investment Attraction Subsidy Wars Resulting From a Prisoner's Dilemma: The Inadequacy of State Constitutional Solutions and the Appropriateness of a Federal Legislative Response," *New Mexico Law Review*, Vol. 28, pp. 303-342 (1998); being reprinted in slightly revised form in 1999 European University Institute's Competition Workshop Proceedings (1999-2000).

"21<sup>st</sup> Century Trade Negotiations, the U.S. Constitution and the Elimination of U.S. State-Level Protectionism," *Journal of International Economic Law*, Vol. 2, pp. 71-111 (1999).

"The Grey Areas and Yellow Zones of Split Sovereignty Exposed by Globalization: Choosing Among Strategies of Avoidance, Cooperation, and Intrusion to Escape an Era of Misguided New Federalism" *Canada-U.S. Law Journal*, Vol. 24, pp. 35-72 (1998).

"Food Safety Regulations-Cross-Border Implications-A U.S. Perspective" *Canada-U.S. Law Journal* Vol. 24, pp. 377-384 (1998).

"Section 301 and the World Trade Organization: A Largely Peaceful Coexistence to Date," *Journal of International Economic Law*, Vol. 1, pp. 156-160 (1998).

"Non-Identical Yet Twin Challenges for the World Trading System: Further Advancing the Rule of Law and Legitimacy," in the 1997 Proceedings of the Canadian Council on International Law.

"Searching for Pareto Gains in the Relationship between Federalism & Free Trade: Revisiting the NAFTA, Eyeing the FTAA," *Canada-U.S. Law Journal*, Vol. 23, pp. 441-488 (1997).

"Are Private Remedies in Domestic Courts Essential For International Trade Agreements to Perform Constitutional Functions with Respect to Sub-Federal Governments?," *Northwestern Journal of International Law & Business*, Vol. 17, pp. 609-652 (Winter 1996/Spring 1997).

"National Review of WTO Dispute Settlement Reports: In the Name of Sovereignty or Enhanced WTO Rule Compliance?," *St. John's Journal Legal Commentary*, Vol. 11, pp. 307-350 (Spring 1996) (Symposium Issue on the World Trade Organization and Uruguay Round Agreements).

"Multilateral Trade Agreements and the U. S. States: An Analysis of Potential GATT Uruguay Round Agreements," *Journal of World Trade*, vol. 26, pp. 31-59 (December 1992) (co-author).

"International Law and Global Environmental Protection: Developing a Comprehensive Approach for the 21st Century," *Transnational Law & Contemporary Problems: A Journal of the University of Iowa College of Law*, vol. 2, pp. 619-648 (Fall 1992) (Dorothy Schramm World Affairs Student Writing Competition Winner).

## PRESENTATIONS

Lecture to broad university audience (the formal pre-talk) in advance of Ambassador John Bolton's E.N. Thompson World Forum Lecture (Lied Center), September 8, 2006 (Lincoln, NE)

"Continuing Misconceptions about the Impact of International Trade Agreements on U.S. Federalism: The Beer II Case, Its Legacy, and Recent Developments," presentation to International Roundtable Consisting of Economics, Political Science and Faculty from Other Departments, April 10, 2006

"EU-US Trade and Foreign Policy Relations After Enlargement and Constitution: Unfounded Counterweight Fears, Enhanced Recognition of Exceptionalism and Inklings of Modest Change," presentations to the Political Science Department and the Faculty of Law, spring semester 2005 (Lincoln, NE).

"The Role of Non-Governmental Organizations in Canada - U.S. Relations," Presentation to the Canada - U.S. Law Institute Meeting, April 17, 2004 (Cleveland, OH).

## PRESENTATIONS (continued)

"The WTO After Cancun: US and EU Approaches to the Doha Round of Trade Negotiations," Masaryk

University Law School, November 4, 2003 (Brno, Czech Republic)

“State Legislators, State Governors, and International Trade Agreement Negotiations and Compliance,” Arizona State University Law School Faculty Speaker Series, August 27, 2003 (Tempe, AZ).

“The Role of States and Provinces in the International Arena – Recent Trade Agreement and Constitutional Developments,” presentation to the Midwest-Canada Relations Committee of the Midwest Legislative Conference, August 24, 2003 (Milwaukee, WI).

“Tools for Ensuring Regionalism Complements Multilateralism” presentation to and participation in roundtable discussion for U.S. government officials, July 29-30, 2003 (Washington, DC).

“Treaty Training Session – Nine Key Issues Related to International Agreements Under the U.S. Constitution,” presentation to the US Air Force Legal Office, RAF Mildenhall, June 18, 2003 (England).

Commentator, Roundtable Discussion of Experts, “Public International Law – Norms and Needs After September 11,” International Law Symposium, University of Pacific McGeorge School of Law, February 21-22, 2003 (Sacramento, CA).

Discussant/Commentator in U.S.-China WTO Roundtable at Temple Law School Institute of International Law and Public Policy, August 5-6, 2002 (Philadelphia, PA).

“Trade in Waste Between the United States and Canada,” Canada-U.S. Law Institute Meeting on Energy, the Environment, and Natural Resources in the Canada-U.S. Context, April 19, 2002 (Cleveland, OH).

“Sovereignty, Realpolitik and the World Trade Organization,” presentation to a conference on New World Disorder: International Law and the Changing Face of Sovereignty held at Hastings College of Law, Feb. 1, 2002 (San Francisco, CA).

Participate in Roundtable Discussion for U.S. government on the Prospects and Problems for the new WTO Round February 26, 2002 (Washington, D.C.).

“Hazardous and Non-Hazardous Wastes: Trade or Environment Issue?” presentation to Canada-U.S. Law Institute Meeting on Energy, the Environment, and Natural Resource in the Canada/U.S. context, April 19, 2002 (Cleveland, OH).

“Conscientious State Legislators, International Trade Law, and the Need for a Culture of Compliance and Liberalization,” presentation to the American Society of International Law Annual Meeting (Panel Topic: International Law and the Work of Federal and State Legislators), April 5, 2001 (Washington, D.C.). Also presented at Faculty Colloquiums at University of Kansas Law School (Nov 2001) and Florida State University College of Law (Feb. 2002).

“NAFTA Chapter 11, International Investment Agreements, and State Legislators,” National Conference of State Legislatures Annual Meeting, International Trade and Agriculture Committee, August 13, 2001 (San Antonio, Texas).

“Government Procurement Disputes: The Case of the Massachusetts Burma Law,” Conference on Transatlantic Dispute Resolution and Management, European University Institute, July 5-6, 2001 (Florence, Italy).

“U.S. and Canadian Foreign Affairs: Is Being a Federal State a Help or Hindrance?,” presentation to Canada-U.S. Law Institute Annual Meeting, April 20, 2001 (Cleveland, OH).

“Continuing Misconceptions of the Relationship Between International Trade Agreements and Federalism,” presentation to Georgetown Law Center's Journal of Law and Policy in International Business Symposium

**PRESENTATIONS** (continued)

on “Federalism Under Fire: International Trade Agreements and Local Governance,” February 28, 2001 (Washington, D.C.).

"Internal Conflicts in U.S. Trade Policy: Can the Diplomats Save the Lawyers from Colliding the Trade Policy with Itself?," presentation to the American Society of International Law's International Economic Law Group Conference, February 17, 2001 (Houston, TX).

"Trade Policy Developments and Nebraska" presentation to the Midwest International Trade Association's World Trade Week Conference, May 23, 2000 (Omaha, NE).

"The Case of the States: Dispute Resolution and Public Support for Trade Agreements," presentation to Canada-U.S. Law Institute Annual Meeting (Topic: The Management and Resolution of Cross Border Disputes as Canada/U.S. Enter the 21<sup>st</sup> Century), April 14-16, 2000 (Cleveland, OH).

"The Effect and Role of Regional Trade Agreements on the Multilateral Trading System: Should the United States have a More Activist Regional Trade Policy?," presentation to the American Society of International Law's Annual Meeting, Panel on "Universality and Particularity: The Effect of Regional Legal Systems on Global Trade and Standards," April 7, 2000 (Washington, D.C.).

"Future Challenges for the World Trading System," presentation to State Department sponsored conference on "Trade Negotiations After Seattle," February 17, 2000 (Washington, D.C.).

Participant in Economist and Lawyer Roundtable on Seattle WTO Ministerial and Future Prospects for Negotiations organized by University of Michigan Economics Dept. and Georgetown Univ. Law Center, January 28, 2000 (Washington, D.C.).

"What is a Global Lawyer?," co-facilitator for workshop, American Association of Law Schools Annual Meeting, January 5-6, 2000 (Washington, D.C.).

"State Subsidies: International and European Perspectives--Lessons for the EU," presentation to the 4<sup>th</sup> Annual EU Competition Law Conference, Robert Schuman Centre, European University Institute, May 4-5, 1999 (Florence, Italy).

"Globalization, Sovereignty, and Federalism," presentation to the Canada-U.S. Law Institute's Annual Meeting (Topic: "Sovereignty Revisited as Canada/U.S. Enter the 21st Century"), April 17-19, 1998 (Cleveland, OH).

"International Trade, Food Safety, Science and Sovereignty," presentation to the Canada-U.S. Law Institute's Annual Meeting (Topic: "Sovereignty Revisited as Canada/U.S. Enter the 21st Century"), April 17-19, 1998 (Cleveland, OH).

"Trade and ... Issues: Implications for Governments, Scholars and Non-State Actors," presentation to Recent Developments in International Trade Law Panel, American Society of International Law Annual Meeting, April 1-4, 1998 (Washington, D.C.).

"State Subsidy Wars and Investment Attraction: The Wild Wild West Overruns State Constitutional and Other Possible Constraints--Will the Federal Marshall Intervene?," presentation to the New Mexico Law Review's Symposium on State Constitutional Law, November 7-8, 1997 (Albuquerque, NM).

"Contracts for the International Sale of Goods: Selected Legal Issues" and "International Trade Agreements: Impact on Business Planning and Strategies," presentations to the Global Market Series sponsored by U.S. Dept. of Commerce and National Association of Credit Managers Midwest (NACM Midwest), October 31, 1997 (Omaha, NE).

"Advancing the Rule of Law and Legitimacy within the World Trade Organization," presentation to International Trade Panel, Canadian Council on International Law, 25th Anniversary Meeting, October 16-18, 1997 (Ottawa, Canada).

#### **PRESENTATIONS** (continued)

Facilitator for a Workshop on "WTO Dispute Settlement: A Loss of Sovereignty?" following the panel presentation, Canadian Council on International Law, 25th Anniversary Meeting, October 16-18, 1997 (Ottawa, Canada).

"Searching for Pareto Gains in the Relationship Between Federalism and Free Trade: Revisiting the NAFTA, Eyeing the FTAA," presented at the Canada-U.S. Law Institute Annual Meeting, April 18-20, 1997 (Case Western Reserve Univ., Cleveland, OH).

"International Distribution and Joint Venture Agreements," presentation before National Assoc. of Credit Managers Great Plains Institute, Oct. 1996 (Omaha, NE).

"Federalism and Free Trade in the Americas," presented at the American Society of International Law's International Economic Law Interest Group Conference May 16-17, 1996 (Bethesda, MD).

"NAFTA & GATT: Implications for International Business Transactions," presentation before Global Market Series sponsored by U.S. Dept. of Commerce, Feb. 15, 1996 (Omaha, NE).

"International Trade Agreements and State Taxes," presentation to the Federation of Tax Administrators Annual Meeting, June 6, 1994 (Birmingham, Alabama).

"NAFTA, GATT and the U.S. States," presentation to the National Conference of State Legislatures, International Trade Committee, May 6-7, 1994 (Washington, D.C.).

"NAFTA and Federalism," presentation to the Northeast-Midwest U.S. Senate Coalition's New England Caucus, November 2, 1993 (Washington, D.C.).

"The Uruguay Round Multilateral Trade Negotiations: Implications for Federal-State Relations," presented at the Association of Public Policy Analysis and Management Annual Research Conference, Panel on Trade Policy, October 29-31, 1992 (Denver, Colorado).

#### **APPOINTMENTS & OTHER PROFESSIONAL ACTIVITY**

Teach classes on International Law and Dispute Resolution to Undergraduate Conflict Resolution Course, April 2005 and April 2006

Chair, Panel on "Recent Developments in International Trade Law," American Society of International Law Annual Meeting, April 1-4, 1998 (Washington, D.C.).

U.S. Rapporteur for recent trade developments for the Journal of International Economic Law (1997-2000).

Planning Committee (1997), American Society of International Law's International Economic Law Interest Group (ASIL IELIG) Meeting (Topic: "Linkages as a Phenomenon: An Interdisciplinary Approach").

Chair, Panel on "Institutional Aspects of Linkages," ASIL IELIG Meeting, December 5-6, 1997 (Washington, D.C.).

Travel to Geneva, Switzerland for discussions with officials in the World Trade Organization (WTO) legal division in order to update course materials and for information on my research projects, July 1997, July 1996.

#### **WORK EXPERIENCE**

7/94 - 1/95

**STATE OF HAWAII-OFFICE OF INTERNATIONAL RELATIONS**, Honolulu, HI  
**STATE OF TEXAS-OFFICE OF STATE-FEDERAL RELATIONS**, Washington, D.C.

**STATE OF UTAH-DEPT. OF ECONOMIC DEVELOPMENT**

**International Trade Consultant.** Monitor and analyze trade developments, including Uruguay Round, NAFTA & APEC developments. Assist in NAFTA implementation issues including "grandfathering" of state laws. Give seminars for state agencies and officials on obligations within international trade agreements.

2/94 - 6/94

**NATIONAL GOVERNORS' ASSOCIATION, Washington, D.C.**

**International Trade Consultant.** Prepared draft recommendations of Governors for the Uruguay Round implementing bill. Assisted in advocacy and technical explanations of Governors' proposals before USTR and Congressional committees. Coordinated NAFTA implementation activities including NGA infoletters on grandfathering of state laws and NAFTA legislation affecting U.S. states.

6/93 - 2/94

**NATIONAL GOVERNORS' ASSOCIATION, Washington, D.C.****WESTERN GOVERNORS' ASSOCIATION, Washington, D.C.**

**International Trade Consultant.** Prepared draft recommendations of Governors for the NAFTA implementing bill. Assisted in advocacy and technical explanations of Governors' proposals for NAFTA implementing legislation before USTR and Congressional committees. Analyzed impact on the states of proposed NAFTA side agreements on environment and labor and developed Governors' comments on the negotiations. Prepared briefing materials for meetings.

1/93 - 6/93 &  
1/92 - 6/92**WESTERN GOVERNORS' ASSOCIATION, Denver, CO**

**International Trade Consultant.** Produced an analysis of NAFTA's impact on the states with comparisons to the GATT negotiations and U.S.-Canada FTA. Authored a talking points paper for discussions with Congressional committees and USTR. Drafted initial implementing legislation/statement of administrative action proposal. Authored analysis on the Dunkel Draft Uruguay Round Agreements' potential effect on the U.S. states (WGA publication).

9/92 - 12/92

**EUROPEAN PARLIAMENT, Brussels, Belgium****OFFICE OF FILIPPOS PIERROS (PPE, Greece)****OFFICE OF ANTHONY SIMPSON (PPE, United Kingdom)**

**Legislative Assistant.** Drafted amendments to Commission proposals under consideration by the economic and monetary affairs committee covering topics such as extraction of hydrocarbon resources and recycling. Assisted in drafting report on cross-border transfers for the legal affairs committee. Conducted research for speech on EC development policy.

**LAW SCHOOL & COLLEGE****WORK EXPERIENCE**1/92 - 7/92 &  
1/91 - 6/91**PROFESSOR JOHN H. JACKSON, University of Michigan Law School**

**Research Assistant.** Major projects included research on domestic law effect of international trade agreements, GATT dispute settlement, and regional economic integration and its relationship to multilateral trade system.

9/90 - 12/90

**U.S. DEPARTMENT OF STATE, Washington, D.C.**

**Extern in the Office of the Legal Advisor in the Human Rights and Refugee Division.** Major projects included memorandums on U.S. asylum law and provisions of the International Covenant on the Elimination of All Forms of Racial Discrimination.

7/90 - 8/90

**U.S. COMMERCE DEPARTMENT, Washington, D.C.**

**Worked in the Office of the General Council - Import Administration Division.** Major projects included memorandums on U.S. dumping law and the implementation of GATT panel decisions.

5/90 - 7/90

**PATTON, BOGGS & BLOW, Washington, D.C.**

**Summer Associate.** Major projects included a memorandum on GATT Art. XI as it relates to agricultural products. Completed projects in the following practice areas: legislation, litigation, international trade and international human rights.

5/89 - 8/89

**GARDNER, CARTON & DOUGLAS, Chicago, IL**

**Summer Associate.** Major projects included a memorandum on Illinois libel law. Completed projects in the following practice areas: environment, litigation, labor, employee benefits, tax and real estate.

6/87 - 9/87

**EXPORT-IMPORT BANK OF THE U.S.A., Washington, D.C.**

**Financial Assistant Intern in the Asia Lending Division.** Major projects included updating spreadsheets of foreign purchasers and writing loan memorandum for senior management approval.

6/85 - 9/85

**EXPORT-IMPORT BANK OF THE U.S.A., Washington, D.C.**

**Intern in the Contract Administration Division.** Coordinated disbursement dates with commercial bank officers.

7/84 - 8/84

**U.S. SECURITIES & EXCHANGE COMMISSION, Washington, D.C.**

Intern in the Policy Planning and Analysis Division. Wrote memorandum on provisions of the securities laws regulating mutual fund expenses.