

**BRIAN D. KELLY**  
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**Position:**

Associate Professor of Economics, Seattle University

**Professional Background:**

Seattle University, 2015- present. Associate Professor of Economics, Seattle University

Seattle University, 2007-2015. Lecturer and assistant professor in economics

Brian Kelly, Inc., 1985-present. Consultant. Consulting engagements include international trade disputes, company valuation, intellectual property disputes, and other economic issues.

Price Waterhouse, 1984-1985. Senior consultant and manager in Price Waterhouse's Office of Government Services in Washington, D.C. Duties included consulting advice and management of projects.

U.S. Department of Commerce, 1980-1984. Case analyst and supervisor in Import Administration in the Department of Commerce. Responsibilities included managing cases, supervision of case analysts, and development of policy positions on new issues.

**Education:**

Stanford University: A.B., with honors

Princeton University, Woodrow Wilson School: Masters in Public Affairs

Harvard University: Ph.D. in Economics, specialties in industrial organization, international economics, and corporate finance

### **Areas of Research:**

Empirical Approaches to the Economic Analysis of Law

International Trade Policy

Interplay of Financial and Product Markets

### **Publications (Peer-Reviewed):**

“The Effects of Civil Asset Forfeiture on Policing: A Panel Approach” (with M. Kole), *Economic Inquiry*, January 2016.

“Using Integrative Graphic Assignments to Promote Deep Learning of the Market Mechanism” (with Gareth Green, Dean Peterson, and John Bean), *Journal of Economic Education*, 46(1), January 2015.

“Product Heterogeneity and Cost Allocations in Contingent Trade Protection”, *The World Economy*, 37(9), September 2014.

“The Pass-Through of Subsidies to Price”, *Journal of World Trade* 48(2), April 2014.

“Market Economies and Concurrent Antidumping and Countervailing Duty Remedies”, *Journal of International Economic Law* 17(1), March 2014.

“The Offsetting Duty Norm and the Simultaneous Application of Countervailing and Antidumping Duties”, *Global Economy Journal*, 11(2), June 2011.

“Antidumping Investigations and the Pass-Through of Antidumping Duties and Exchange Rates: Comment”, *American Economic Review*, June 2010.

“The Treatment of Profit in the Export Market in Antidumping Duty Proceedings”, *Journal of World Trade*, 42(2), 2008.

“The Law and Economics of Simultaneous Countervailing Duty and Antidumping Duty Proceedings”, *Global Trade and Customs Journal*, Vol. 3, Issue 1, 2008.

### **Current Working Papers:**

“The 2018 American Steel Tariffs: Incidence, Pass-Through, and Price Coordination”. (Under review.) (With Gareth Green.) We develop measures of the pass-through of the steel tariffs on border prices and on U.S. domestic prices, finding pass-through that roughly equals the tariff amounts and thus demonstrating that U.S. consumers have borne the full incidence of the tariffs.

“The Enduring Life of False Legislative Facts in Judicial Reasoning: The Case of Asset Forfeiture”. The line of Supreme Court decisions that has supported the constitutionality of forfeiture has relied on empirical evidence in the form of “legislative facts”, that is, judicial notice of widely known information that was not introduced at the trial phase. But these facts have never been tested. We are providing the tests and demonstrating the consequent shakiness of this line of Supreme Court decisions.

“The Changing Face of Asset Forfeiture: An Empirical Assessment of Civil Liberty Concerns”. An empirical analysis of the range of federal forfeiture with a focus on median rather than mean measures of its effects. Particular federal laws and actions are identified that have the greatest impact in terms of number of individuals who forfeit property without criminal convictions.

“The Relative Accuracy of Prospective versus Retrospective Duties in Contingent Import Protection”. Our president-elect’s positions and appointments suggest that a prominent protectionist tool, contingent trade protection, is about to become far more important. This paper assesses two different systems applied in contingent trade protection for the first time, relying on previously unexploited Customs data.

“Project Size, Agency, and the Risk of Catastrophic Failure”. This work considers the effects on optimal project size when future periods bring the possibility of complete project failure, including the role of agency aspects in the project decision. It is a generalization of earlier work to a broader management science context.

“When Fixed Costs Matter: Investment Subsidies, Prices, and Welfare” The current working paper version of a large work that I likely will split in two. This develops a previously unknown result in the competitive markets model and applies it to the question of optimal health care subsidies.

**Testimony:**

Before the Michigan chapter of the U.S. Civil Rights Commission: “A Quantitative Assessment of Forfeiture Actions in Michigan and the Civil Rights Implications” (2016).

I have testified before U.S. agencies and commissions frequently in connection with numerous trade cases. I have also provided testimony, oral or written, to international arbitration panels, domestic arbitration panels, NAFTA and WTO panels, and U.S. federal courts. These appearances have been connected with my consulting work rather than my academic position.

### **Courses Taught at Seattle University:**

ECON 272 / 2110:	Principles of Microeconomics.
ECON 374 / 3110:	Intermediate Microeconomics.
ECON 4650:	Law and Economics.
ECON 4690:	Market Power and Response (formerly Industrial Organization).
ECON 584 / 5220:	Economics of Strategy.
ECON 5107:	Quantitative Economic Analysis
MBA 506:	Managerial Economics (MBA program)
PMBA 5220:	MBA Analytic Core: Identifying and Accessing Markets
PMBA 5225:	MBA Analytic Core: Analytical Tools for Managerial Decisions
LEMBA 506:	Managerial Economics (Executive MBA Program).

### **University Committee Service:**

#### ***Department Assignments***

2019 – 2020:	Assessment Guru
2010-2011, 2011-2012, 2014-2015:	New Faculty Hiring Committees
2016-2017:	Promotion and Tenure Committee

#### ***Albers School Assignments***

2018 – 2020:	Rank and Tenure Committee
2018 – 2020:	MBA Assessment Committee
2017 – 2020:	MBA Admissions Committee
2016-2017:	Accounting Department Hiring Committee
2016-2019:	Graduate Student Scholarship Committee
2010-2015:	Undergraduate Student Scholarship Committee

2013-2014: Management Concentration Review Committee

2011-2012: Research Impact Measures Committee

2010-2011, 2011-2012: MBA Curriculum Review Committee:

2009-2010: Technology Task Force

***University Assignment***

2013-2014 through 2019-2020: Undergraduate Core Executive Committee