

# Data Minimization and Data Empowerment

- 1980 Guideline of “data minimization”
  - Human/fundamental right vis-à-vis data controller
- 2010 and “data empowerment”
  - Individuals mobilize & use data: Obama campaign, Colombia
  - Human/fundamental rights of freedom of assembly, association & speech
- Data protection history:
  - Rights vs. utility (economic growth, innovation)
  - Now, rights (minimization) vs. rights (empowerment)
- From mainframe to today’s computing
  - 1980: “they” had data about “us”
  - 2010: “we” use data to exercise our rights

# Swire Background

- **1986-90 DC lawyer with Powell, Goldstein**
  - **Larry Simons, Tony Freedman, John McIlwaine, John Knapp – housing**
  - **Stu Eizenstat, Bob Litan – S&L/banking**
- **Law prof since 1990**
  - **My problem around 1992**
  - **White House/OMB 1999-2000: Chief Counselor for Privacy**
  - **After 2000 based in DC as law prof**
  - **Center for American Progress**
- **While teaching Antitrust in 2008 ...**
  - **Transition**
  - **Barr left NEC**
- **Special Asst. to the President for Economic Policy**
  - **Inter-agency coordinator on housing/housing finance**
  - **Have returned to my academic position**