

- Draft text of proposed Article of Amendment #29 to the U.S. Constitution --

SECTION 1. [Citizen Personal Information Equity: a Right of Personal Property.] The Right of each Citizen of the United States to Privacy shall not be infringed by the Federal Government of the United States, by the Governments of the several States, or by County or Municipal Governments, without prior, written, express consent, granted by the Citizen who is to suffer that infringement, to the elements of that infringement, and to the specific governmental infringer, as specified in that written consent, and in return for due consideration. Governmental and corporate officials, public policy advocates, indicted, non-exonerated persons, persons convicted of a crime, who have not yet served to completion their sentence for that crime, and persons under warrant for specific Probable Cause are excepted from this Privacy Right. However, the Permissible Extent for Privacy Property infringement for such excepted Citizens shall extend only to their Public Acts, and not to their Personal Information, except in the case of indicted, non-exonerated persons, or persons under warrant for specific Probable Cause, or persons convicted of a crime, who have not yet served to completion their sentence for that crime. The Personal Information of Citizens is their Personal Property. It shall not be acquired and/or retained by governmental entities without prior, written, specific consent by them -- or by their Guardians, while Minors -- in return for due consideration, or without Due Process of Law.

SECTION 2. No non-governmental organization, and no individual, whether a paid employee of any such organization, or otherwise, having Presence within the United States of America, shall acquire and/or retain Personal Information regarding a Citizen of the United States, without prior, written, time-limited consent, granted by the Citizen who is to suffer that infringement, to the elements of that infringement, and to the specific infringer, as specified in that written consent, and without due consideration in advance, e.g., monetary payment, in an amount acceptable to said Citizen, unless that information collection and/or retention is supported, *in advance*, by a warrant issued by a U.S. Federal Court of competent jurisdiction, on the basis of evidence supporting Probable Cause of criminal activity by that Citizen, or unless that Citizen is under criminal indictment, and not exonerated, or has been convicted of a crime, and has not yet served to completion their sentence for that crime, or is a public official, a public policy advocate, or a corporate officer, and then only to the Permissible Extent for such Privacy Property infringement as herein established. Retention of a person's information by an other person, by voluntary disclosure by that person of that person's personal information to that other, e.g., telephone numbers, mailing addresses, etc., is exempt from these provisions, except that such retention implied permission may be later revoked, in writing, by the person who earlier disclosed it.

SECTION 3. It shall be a felony under U.S. Federal Law to violate the Privacy Rights and to appropriate without continuing consent the Personal Information Property of any Covered U.S. Citizen as defined herein, beyond the Permissible Extent of such appropriation as herein defined. Individuals indicted for such Privacy Rights violation shall be prosecuted in Federal Court, whether they are accused of acting in this violation in their individual capacity, or as agents of governmental or non-governmental organizations having Presence in the United States.

SECTION 4. The Right of Privacy, and the Personal Information Property Right, as herein established, inheres only in each individual U.S. Citizen, and does not extend to U.S. Governmental organizations at any level -- Federal, State, County, and Municipal -- or to other organizations, public or private, including corporations.

- A robust right to privacy, while abundantly justified on general ethical, moral, and human rights grounds, will also be necessary if citizens are to mount a campaign to reverse the slide into Orwellian police-state totalitarianism that is increasingly evident in the U.S. [as well as worldwide], by means of attaining the higher civilizational level of ***Political-ECONOMIC DEMOCRACY***.

- This amendment instantiates the concept of a ***Political-ECONOMIC Constitution***, because it recognizes that the threat to liberty comes, today, not only from governments, but, and even more so, from both private and “public” corporations that have in so many ways outgrown and dwarfed governments; economic organizations that have even managed to “buy out” governments, via lobbying and other forms of legalized bribery, obviating political-***only*** checks-and-balances. Thus, this amendment does not address only checks on government infringements of liberty, leaving constraints on, e.g., infringements of liberty by economic entities to statute law. This amendment addresses threats to liberty by both “political” and “economic” entities.

- Many U.S. Citizens today dismiss concern over the mounting hyper-surveillance of their lives -- of every phone call, of every credit/debit card purchase, of every email, not to mention the growing presence of [e.g., “facial recognition”] digital video cameras and audio recorders in public space and even in private homes via new consumer electronics devices -- saying “I don’t care what they know about me; I have nothing to hide”. Those citizens underestimate the potential of governmental and of private organizations to gather “dirt” on them, that, if disclosed, could destroy their jobs, their family relationships, and/or their friendships, and that can thus be used to “blackmail” them to commit acts on behalf of governmental, or of private, organizations that they would not otherwise condone or commit. This amendment would also inhibit the “character assassination”, using personal information, of ***un***indicted and ***non***-consenting private individuals, candidates for public office, and public policy advocates, by the corporate media.

- This amendment is bad news for government spies, for mail, e-mail, and cold call telephone marketers, spammers, and fraudsters, for blackmailers, for private detective agencies, for tabloid scandal-sheets, for paparazzi, for credit bureaus, and for others who have, for decades, heaped increasing abuse upon the public -- upon defenseless individuals. It is bad news also for marketers who inundate individual citizens with “targeted” and “tailored” ads -- “tailored” through detailed covert, ***non***-consensual surveillance data on individual citizens. The media, per this amendment, may still legally report on organizational conduct, on the public activities of public officials, of public policy advocates, and of corporate officers, but ***not*** on their private and personal lives, without their prior consent, and ***not*** on ***un***indicted and ***non***-consenting individuals within those organizations. This amendment does ***not outlaw*** personal data collection and retention regarding private citizens. However, entities wishing to lawfully collect and/or retain such information must have the detailed, acceptably-compensated, and time-limited consent of the individuals to whom that personal information pertains, in writing, ***prior*** to the commencement of any collection and/or retention of such information. Collection of information on persons with U.S. Presence who are ***not*** U.S. Citizens is ***not*** restricted by this amendment.