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The United States Constitution

Article II, Section 1 of the U.S. Constitution imposes only three eligibility requirements on persons serving as president, based on the officeholder's age, time of residency in the U.S., and citizenship status:

U.S. Constitution – Presidential Candidate Eligibility

"No person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States."

PROPOSED CONSTITUTIONAL AMENDMENT

The American Civilian Sovereignty Amendment

An Amendment to the Constitution of the United States Establishing That the Rights of the American People Against Surveillance, Behavioral Manipulation, and Population Control Apply Equally Against Any Entity — Government or Corporate — Operating at Population Scale; and Permanently Establishing the Constitutional People's Counsel as the Independent Public Advocate for Those Rights

Proposed by the Cordova Administration Submitted to Congress for the Two-Thirds Vote Required Under Article V

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PROPOSAL AND RATIONALE

The Constitution of the United States was written to protect the American people from concentrated power. In 1791, the primary threat to that protection was government. The Bill of Rights was written accordingly — restraining government from surveilling, silencing, and controlling the people it was created to serve.

In the twenty-first century, the concentrated power that threatens American freedom does not wear a government uniform. It wears a corporate badge. It operates through servers, algorithms, data centers, and behavioral AI systems. It holds more information about more Americans than any government in history. And it currently operates outside the constitutional protections that the founders built specifically to protect the people from exactly this kind of power.

This Amendment closes that gap.

It also answers a second structural problem: who enforces these rights? The executive branch cannot police itself. A new executive agency, however well-intentioned, carries the inherent risk



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of capture or weaponization by a future administration. The Constitutional People's Counsel — established by statute and made permanent by this Amendment — solves that problem by belonging to no administration, answering to no President, and serving only the American people and Congress.

This Amendment makes both protections permanent: the rights themselves, and the independent advocate empowered to enforce them.

JOINT RESOLUTION

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

THE AMENDMENT

Article [XXVIII] — The American Civilian Sovereignty Amendment

Section 1 — Right Against Surveillance

The right of the people to be secure in their persons, communications, behaviors, beliefs, locations, relationships, and data shall not be violated by any entity — government, corporate, or otherwise — without the free, specific, informed, and revocable consent of each individual, or, in the case of government action, without a warrant issued upon probable cause, supported by oath or affirmation, and particularly describing the person, place, or data to be examined.

No entity — regardless of size, structure, or relationship to government — shall surveil, track, profile, or collect data on the people of the United States without meeting the requirements of this section. This right is not conditioned on the scale of the entity violating it. Every American civilian holds this right fully against every entity that would violate it.



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Section 2 — Right Against Psychological and Behavioral Manipulation

The right of the people to form their own beliefs, make their own decisions, and control their own information environment is a fundamental right of free people and shall not be abridged by any entity.

No entity — government or private — shall deploy any system, algorithm, artificial intelligence mechanism, or other technological instrument to:

- (a) Deliberately engineer emotional states — including fear, anger, anxiety, or social isolation — in individuals or populations for the purpose of behavioral control, political compliance, or commercial exploitation without free and informed consent;
- (b) Construct or maintain information environments that systematically restrict, suppress, or distort the information available to individuals for the purpose of producing ideological conformity or behavioral compliance;
- (c) Exploit psychological vulnerabilities — including grief, fear, loneliness, financial stress, or addiction — identified through surveillance data, for the purpose of targeting or manipulating individuals;
- (d) Operate campaigns that systematically manufacture social division, distrust, demoralization, or political conflict within the American civilian population;
- (e) Generate, amplify, or distribute synthetic or deceptive content — including deepfakes or coordinated inauthentic behavior — for the purpose of altering the beliefs or behaviors of American civilians.

The right to an unmanipulated mind and an unmanipulated information environment is not waivable by any contract, terms of service, or user agreement.

Section 3 — Equal Application to Corporate and Foreign Power — No Fragmentation Escape, No Offshore Escape



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The protections of this Amendment, and the protections of the First, Fourth, and Fifth Amendments to this Constitution, shall apply with equal force to any entity — domestic or foreign, wherever incorporated, organized, or operating — that:

- (a) Collects, processes, stores, sells, or otherwise acts upon personal data relating to any American civilian, at any scale, regardless of where that activity occurs; or
- (b) Operates any system capable of shaping, targeting, or manipulating the information environment, behavior, or beliefs of any American civilian, regardless of where that system operates; or
- (c) Provides surveillance, behavioral profiling, psychological manipulation, or population management services — directly or indirectly — to any government entity or private actor targeting American civilians; or
- (d) Receives, purchases, or otherwise acquires personal data or behavioral profiles relating to American civilians from any source, for any purpose of surveillance, profiling, manipulation, or population management.

The constitutional rights of the American people are not defeated by routing their violation through a private intermediary. They are not diminished by the small size of the entity violating them. They are not defeated by incorporating the violating entity outside the United States. They are not defeated by exporting American civilian data offshore for processing and returning the results domestically.

No person or entity shall structure, divide, or organize surveillance or manipulation operations across multiple legal entities — domestic or foreign — for the purpose or effect of evading the protections of this Amendment. The aggregate activity of any affiliated group of entities under common ownership, control, or financial direction shall be treated as the activity of a single entity for purposes of this Amendment. Private equity firms, institutional asset managers, holding companies, controlling investors, and foreign sovereign wealth funds shall bear constitutional responsibility for surveillance and manipulation conducted by entities within their control or investment portfolios, to the same extent as if they had conducted that activity directly.

Section 4 — Prohibition on the Public-Private Surveillance Loophole — Domestic and Foreign



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No government agency — federal, state, or local — shall acquire, purchase, solicit, or receive any surveillance data, behavioral profile, psychological assessment, or derived analytical product from any entity — domestic or foreign — that the government could not have lawfully collected directly under this Constitution.

No government agency shall route the acquisition of American civilian surveillance data through a foreign government, foreign intelligence service, or foreign entity for the purpose or effect of circumventing the constitutional requirements applicable to direct domestic collection.

The rights of the American people cannot be circumvented by outsourcing their violation to private contractors. They cannot be circumvented by outsourcing their violation to foreign governments or foreign entities either.

Section 5 — Prohibition on Population Control Systems

No entity — government or private — shall construct, operate, or participate in any system designed to manage the American civilian population through surveillance, behavioral modification, information control, economic coercion, or any combination of these mechanisms without the express democratic authorization of the people through their elected representatives and subject to full public transparency.

The American people are not a population to be managed. They are a free people who govern themselves.

Section 5A — American Civilian Data Is Not a Commodity

The personal data of American civilians — their location, their health, their beliefs, their relationships, their fears, their psychological vulnerabilities, their private lives — is not a commodity. It is not a product. It is not an asset. It is an extension of the person to whom it belongs, and it carries the full dignity and constitutional protection of that person.

(a) No entity — government or private, domestic or foreign — shall sell, license, transfer, or otherwise exchange for consideration the personal data of American civilians without the specific, informed, and revocable consent of each individual whose data is included in the



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transaction. Consent given for one purpose or to one entity does not authorize sale to any other entity or for any other purpose.

(b) The sale of any data identifying, predicting, or assessing the psychological vulnerabilities of American civilians is prohibited absolutely — without exception, without consent, without commercial justification. The psychological vulnerabilities of a free person are not for sale under the laws of this republic.

(c) Every American civilian has the constitutional right to:

- Know what personal data any entity holds about them
- Know to whom that data has been sold, transferred, or licensed, and for what purpose
- Demand the permanent deletion of their data from any entity that holds it
- Permanently prohibit the sale of their data by any entity through a simple, free, nationally accessible mechanism
- Sue any entity that violates these rights directly in any court of competent jurisdiction

(d) Liability for the unlawful sale of American civilian data travels with the data through every transaction. Every entity in a data resale chain bears constitutional responsibility for violations arising from that data, regardless of when it entered the chain or what representations prior sellers made.

(e) Congress shall enact legislation establishing the National Do Not Sell Registry — a permanent, free, universally accessible mechanism through which any American may prohibit the commercial sale of their personal data — and the National Data Transaction Registry — through which any American may view every transaction involving their data, who purchased it, and for what stated purpose. These registries shall be permanent institutions of the federal government, funded by mandatory appropriation, and administered independent of any commercial interest.

The American people have waited long enough for a government that will listen. This Amendment is the answer.

Section 6 — The Constitutional People's Counsel

(a) **Establishment.** There shall be a Constitutional People's Counsel, an officer of the Congress of the United States, who shall serve as the permanent independent public advocate for the rights



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of the American people established by this Amendment and by the First, Fourth, and Fifth Amendments to this Constitution.

(b) Independence. The Constitutional People's Counsel shall not be subject to removal, direction, or budget control by the President or any executive branch official. The President shall have no authority over the appointment, tenure, or operations of the Constitutional People's Counsel.

(c) Appointment and Term. The Constitutional People's Counsel shall be appointed by joint resolution of Congress for a single term of seven years and may be removed only by impeachment for cause.

(d) Funding. The funding of the Constitutional People's Counsel shall be provided by mandatory appropriation written into statute. No President or executive branch official may impound, rescind, or reduce such funding. Congress may increase but not reduce funding below the statutory floor without a two-thirds vote of both chambers.

(e) Authority. The Constitutional People's Counsel shall have standing to bring civil and constitutional actions in any federal court on behalf of the American people against any entity — government or corporate — that violates the rights established by this Amendment or by the First, Fourth, or Fifth Amendments. This standing is self-executing and does not require authorization from any branch of the federal government.

(f) Cross-Branch Accountability. The Constitutional People's Counsel shall have authority to investigate and publicly report on constitutional violations by any branch of the federal government — executive, legislative, or judicial — as well as by any state government or private entity. No branch of government shall have authority to restrict, classify, or suppress the public reports of the People's Counsel.

(g) Protection of States. The Constitutional People's Counsel shall not be used as an instrument of federal power against the states. Its mandate is to protect the American people and the states equally from all concentrations of unaccountable power, including federal power.

(h) Public Accountability. The Constitutional People's Counsel shall publish complete, unclassified quarterly reports to Congress and the public covering all investigations, enforcement actions, litigation, and findings. These reports shall be permanently and freely accessible to every American.



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Section 7 — Private Right of Action

Any person whose rights under this Amendment are violated shall have a direct cause of action against the responsible entity in any court of competent jurisdiction. No arbitration agreement, class action waiver, or terms of service provision shall be enforceable to bar a claim under this Amendment.

Congress shall enact implementing legislation establishing remedies — including damages, injunctive relief, and attorney's fees — sufficient to make this right meaningful and fully enforceable.

Section 8 — Congressional Enforcement

Congress shall have the power to enforce this article by appropriate legislation. In exercising this power, Congress shall ensure that enforcement mechanisms reach both government actors and private entities operating at population scale, and that no future administration may use enforcement bodies created under this Amendment as instruments of control against the states or the public.

Section 9 — Effective Date

This Amendment shall take effect upon ratification by three-fourths of the several States.

STATEMENT IN SUPPORT OF RATIFICATION

For submission to state legislatures and the American public

Every generation of Americans has been asked to defend freedom against the concentrated power of their era.

The founders defended it against the British crown.



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The Civil War generation defended it against the slaveholder's claim to own another human being.

The twentieth century defended it against fascism abroad and the surveillance state at home.

Our generation faces a different form of the same threat: the most powerful surveillance and behavioral control infrastructure in human history, built by private corporations, financed by institutional capital, and operating with no constitutional constraint because the Constitution, as written, only restrains the government.

This Amendment does two things.

First, it closes the gap — establishing that the rights protecting Americans from government overreach apply equally to any corporation, platform, or AI system operating at population scale. No entity, however organized and however financed, may surveil, profile, manipulate, or manage the American people without their consent.

Second, it solves the enforcement problem honestly. Creating a new executive agency to enforce these rights would simply hand a future President a new weapon to use against the states and the public. The Constitutional People's Counsel is different: it belongs to no President, answers to no administration, and cannot be removed, defunded, or redirected by anyone in the executive branch. It belongs to the people. It is funded by law. And it has standing to take any branch of government — including the one that might most want to stop it — to court.

The American Civilian Sovereignty Amendment does not expand government power. It does the opposite: it ensures that the power no government can exercise over a free people, no one can exercise over a free people — and that there is always an independent advocate, insulated from politics, empowered to enforce that guarantee.

That promise is worth amending the Constitution to keep.

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