



Written by [Alex Newman](#) on March 16, 2011

Arizona Seeks Friends to Fight Feds

Legislators in Arizona are reaching out to other state governments in the region to form partnerships against the federal government and its ever-expanding array of unconstitutional dictates on everything from ObamaCare to environmental matters, media reports explained. The problem with the idea, according to analysts, is that the federal government itself will need to sign off on the deals before they can take effect.

The approach being pursued by Arizona, known as the formation of [interstate compacts](#), involves creating alliances between two or more states for a variety of purposes. In Arizona's case, one of the proposals being considered would see states creating and maintaining a fence along the border with Mexico. Another would allow participating state governments to deal with health-care issues without federal intrusion.



In all, the *Arizona Republic* reported that more than [12 bills to create compacts](#) have been introduced in the state during the current legislative session far more than in recent years. If approved by the legislature and signed by the Governor, the measures would then need to obtain approval from Congress.

Whether President Obama would need to approve the compacts has sparked debate among experts, the *Washington Times* [noted](#). If his signature were required, trying to get out of ObamaCare would almost certainly be a waste of time. But from the language used in the Constitution, which says only that the consent of *Congress* is required, it appears clear that the administration will have no say in the matter.

But the idea is important, according to Republican state Senator Sylvia Allen, one of the main sponsors of some of the Arizona bills. She [told](#) the *Republic* that the efforts were aimed at restoring the proper balance between state and federal authorities.

“The states aren’t able to do anything anymore,” asserted Sen. Allen, the chairwoman of the state Senates Committee on Border Security, Federalism and State Sovereignty. “We aren’t able to do the things we need to do for our citizens.”

And legislators in numerous other states are behind at least some of the ideas, too. In Texas, for example, lawmakers are [considering](#) legislation that would seek a compact with other states possibly including Arizona to regulate health care without federal intrusion.

“For too long, we’ve watched the federal government struggle to control how public health care assistance is delivered. Forming a compact with fellow states will bring decisions closer to home, [said](#) Texas Rep. Lois Kolkhorst, a Republican who introduced a compact health bill in the state House.



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There's a feeling that states will be the best innovators of health care reform, especially if President Obama's Affordable Care Act continues to be found unconstitutional by the courts.

The legislature in Tennessee already [approved](#) a health-care compact to get out of ObamaCare. At least seven other states are considering similar legislation. And at least a dozen are [working on nullification bills](#) to simply declare ObamaCare unconstitutional and, therefore, null and void within state borders.

Predictably, big-government opponents of the compact efforts are urging their supporters to contact legislators to block the bills. The environmentalist group Sierra Club, for example, is [upset](#) about some of the proposals that would take certain unconstitutional environmental regulatory powers such as endangered-species protection away from the federal government.

But of course, the efforts have many supporters, too. And some scholars, even if they disagree with the specific proposals, [believe](#) the debate will be healthy.

The biggest problem analysts see with the alliance approach to reining in the federal government, however, is the fact that the federal government itself will have to agree. And that means the prospects for success are probably slim.

Interstate Compacts have one deadly flaw as a means to address some of the really important [federal versus state issues](#), such as stopping the implementation of ObamaCare. They require congressional approval, said constitutional expert Larry Greenley, director of marketing for [The John Birch Society](#). If you have enough votes in Congress to establish an interstate compact to avoid the imposition of ObamaCare in your state and others in your proposed compact, you likely have enough votes to repeal ObamaCare outright for all states.

Most interstate compacts in recent American history have been used to deal with relatively non-controversial issues such as transportation, water management, and other similar matters concerning two or more states. The enthusiasm for forming similar agreements to trump federal health-care mandates, for example while growing in popularity is a relatively recent trend.

The compact approach comes from [Article I, Section X](#) of the U.S. Constitution, which prohibits interstate treaties except with congressional approval. It states in part: No State shall, without the Consent of Congress enter into any Agreement or Compact with another State

As *The New American* has reported, some states are abusing the compact concept unconstitutionally for sinister purposes. At least three separate interstate treaties to regulate greenhouse gas emissions by [creating regional cap-and-trade schemes](#) have already popped up in America. And even more astonishingly, some of those arrangements even include foreign authorities such as Canadian provinces and Mexican states.

Critics of the more recent compact proposals suggest that instead of seeking federal approval to stop unconstitutional federal intrusion, states would be better off simply [nullifying mandates](#) from Washington that violate the Supreme Law of the Land. That approach has been used throughout American history and even recently to nullify everything from drug laws and national ID cards to intrastate federal gun regulations.

How far these efforts will go remains to be seen. Nullification campaigns are making significant progress. Compacts, however, will likely be more troublesome.

Arizona Gov. Jan Brewer has been a [strong advocate](#) of reining in the feds and is considered a leader on the issue by some conservatives. And hostility against ever-expanding unconstitutional power grabs by



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the central government is quickly growing. The legislature in Utah [just approved](#) the use of gold and silver as legal tender, for example. Many other states are considering the same thing. And all across America, states are becoming increasingly assertive.



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