



Written by [Michael Tennant](#) on February 2, 2012

Did Newt Gingrich Endorse ObamaCare in 2009?

From 1993 until midway through 2011, Newt Gingrich repeatedly and quite forcefully argued that the federal government ought to impose an ObamaCare-like individual mandate on Americans, requiring them to have health insurance or otherwise to demonstrate that they can pay their future healthcare bills. (Regular readers of The New American are well aware of this because this publication has covered the story extensively.) However, a recently unearthed recording of a 2009 conference call featuring the former Speaker of the House is getting quite a bit of attention in the blogosphere because it suggests to some that Gingrich explicitly endorsed the healthcare legislation then beginning its trek through the legislative process.



The call, which took place in May 2009, was a [joint presentation](#) by Gingrich's Center for Health Transformation and Siemens Healthcare addressing a variety of issues related to healthcare and the then-recently passed economic "stimulus" law. In addition, they discussed the nascent healthcare "reform" process, with Gingrich and his second-in-command, David Merritt, also laying out their vision for it.

Early in his remarks Gingrich praised the process, saying:

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The good thing is that, in contrast with the HillaryCare process of 1993, we don't have 500 people hiding in a room trying to write the magic bill that's going to go through on an up-or-down vote. We actually have a process under way where lots and lots of different players have a real opportunity to have input. And I think in that sense this is already a healthier process than we saw in 1993, and a more open process.

Of course, the construction of the Patient Protection and Affordable Care Act turned out to be considerably less above board than Gingrich suggested. There were plenty of backroom deals, such as the one that [former Louisiana Republican Congressman Billy Tauzin wangled](#) for the big pharmaceutical companies. After all this, the final version of the bill was so inscrutable that then-House Speaker Nancy Pelosi infamously declared that Congress needed to "pass this bill to find out what's in it."

Most of this happened after May 2009, but even then Gingrich had no excuse for believing that the process would be "more open" than in 1993. Blogger [Morgen Richmond](#), who uncovered the Gingrich conference call, observed that "just weeks earlier [than the Gingrich call], on this very blog, we uncovered and posted a video of Representative Jan Schakowsky which [clearly demonstrated](#) that the Democratic leadership had less than honorable intentions, to say the least. And [Charles] Krauthammer



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wrote about this before I did, in the *Washington Post* in [February 2009](#).”

Later in the call Gingrich reiterated his longstanding belief in an individual mandate, in the process demonstrating that despite his pose as an intellectual he hasn't the first clue what it means to be a libertarian:

We believe that there should be “must carry”; that is, everybody should have health insurance, or if you're an absolute libertarian, we would allow you to post a bond. But we would not allow people to be free riders, failing to insure themselves and then showing up at the emergency room with no means of payment. If you have “must carry,” then the insurance companies have told us that we can have “must issue” and you will therefore have a system in which you don't have to worry about cherry picking and maneuvering.

The “must carry”/“must issue” logic, remarks Richmond, “was ultimately the argument which convinced none other than Barack Obama, who ... opposed an individual mandate during the Democrat primary campaign in 2008.”

Because the call took place during the early stages of the ObamaCare debate, many are taking Gingrich's remarks as an outright endorsement of the legislation that ultimately passed, in particular the individual mandate. [Breitbart TV](#), for instance, stated that the 2009 call “is the first example of Gingrich specifically endorsing President Barack Obama's federally mandated version which many conservatives believe is unconstitutional and Gingrich has described as ‘clearly unconstitutional.’”

[William A. Jacobson](#), associate clinical professor at Cornell Law School, begs to differ. He points out that the conference call “took place before even the earliest draft of Obamacare had been proposed.” Gingrich, he explains, “specifically notes that the details of what would be proposed were unknown and ... the process was still in the ‘wish list press conference stage.’” Thus, Jacobson concludes, “the recording does not support the conclusion that Newt supported Obama's federal mandate.”

It appears, then, that although Gingrich offered the comments favoring an individual mandate when ObamaCare was in its earliest stages, he most likely was not endorsing the specific version of the mandate that ended up in the law because the details were not even known at that time. Nevertheless, he did say that the mandate he'd described was “the kind of general model we're going to be advocating” for federal healthcare reform; so even if the law didn't turn out exactly as he would have liked, it did fulfill his requirements.

As a matter of fact, the Affordable Care Act actually fulfilled more of Gingrich's unconstitutional desires than just the individual mandate. In the same 2009 presentation Gingrich also said, “[T]he government should improve the health care of Americans by changing the ‘cultural-and-society pattern’ that helps communities to be healthier,” according to the *Atlantic's* [Conor Friedersdorf](#). “He offers a few examples. Individual schools should be required to have physical education five days per week, he says. School cafeterias should have to make all means [sic] appropriate for a student with diabetes.” Then, in case the listener hadn't noticed, Gingrich states that he is “actually pretty radical about all this,” arguing that anyone living within a mile of school ought to be forced to walk to school for the exercise. ObamaCare likewise calls for “[behavior modification](#)” to force Americans to engage in Washington-decreed healthful behaviors.

Given all that, it's hard to believe Gingrich didn't have a hand in writing the healthcare law. In fact, he probably did. “Newt Gingrich's consulting clients in 2009 included the American Hospital Association, America's Health Insurance Plans, and various members of the drug lobby — all of which in Spring



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2009 were publicly on board with the general idea of ObamaCare,” the *Washington Examiner*’s [Timothy P. Carney](#) writes. “Gingrich’s post-speaker career was largely about finding ways for his clients to profit from an increased government role in the economy,” Carney avers. “ObamaCare was a golden opportunity for such public-policy profiteering.”

Regardless of his role in crafting ObamaCare, and regardless of whether he did or did not endorse it, the fact remains that Gingrich stumped for an individual mandate for 18 years, expressing no concern during that time that it might conflict with the Constitution. Then when he decided to seek the nomination of a party whose base is unalterably opposed to the healthcare law, he turned on a dime, declared the law unconstitutional, and began lambasting Mitt Romney for enacting a similar plan in Massachusetts — a plan that Gingrich had also [praised](#) at the time it became law.

When it comes to healthcare, Gingrich doesn’t have to ask anyone else for a second opinion; he’ll provide one himself.



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