

SPECIAL REPORT

JUNE, 2015:

**A Month that MAY Shake
the US—and the World**

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BIG ISSUES COMING

A highly anticipated decision by the Supreme Court on the Affordable Care Act and an agreement to halt Iran's nuclear weapons program for at least a decade are expected in June, 2015.

Taken together with the High Court's expected decision on same-sex marriage, this will make June a month of historic proportions. The lives of millions of people for generations to come may be affected, a point the media and many others have not yet recognized.

THE AFFORDABLE CARE ACT

What's at Stake:

The Court's decision will affect not only the 11.7 million Americans who are covered by the Act (about 7.7 million with federal subsidies), but also two major institutions:

The Republican Party: Republicans have condemned the Act since it was enacted in 2010. The GOP-controlled House, for example, has voted to repeal it more than 50 times. This, even though many of its most important concepts originated in various Republican precincts, including Massachusetts when then-Gov. Mitt Romney signed a version into law. Republican leaders have assured voters a better alternative will emerge if the Act is struck down. The party's credibility will be on the line, if therefore, the Court rules against the ACA.

The Court Itself: No constitutional issue is to be decided—the Court settled that question three years ago. What is involved is the statute itself. Over the years the justices have interpreted many laws, and they've always examined each in its totality. As Justice Scalia said from the bench earlier this year, "We try and make sense of the law as a whole."

In this case, "the law as a whole" is more than 2,000 pages, the clear intent of which is to make, as Congress specified, "Quality, Affordable Health Care" available to all Americans. Yet the case rest on the interpretation of just four of those words. If the court sides with the plaintiffs, it will do more than torpedo the Act. It will overturn its own precedent for interpreting laws.

The Potential Outcomes:

If for the Plaintiffs

Republicans are divided over what to do next, but at least some leaders seem convinced a ruling that eviscerates ACA will force President Obama to agree to stop-gap legislation to continue subsidies past the 2016 elections. This is wishful thinking. It's unlikely Obama would do anything to help Republicans put a Band-Aid on his signature domestic achievement.

It seems more likely that millions would lose their coverage, a fair number of whom might die during the next 12 months. In short, a decision against the Act will trigger rejoicing among conservatives. But barring a miracle, it seems a recipe for chaos and tragedy.

If for the Administration

A decision upholding the Act is likely to bring an end to serious legislative and legal challenges. Since its amateurish roll-out, the program appears to have ironed out its kinks and is working smoothly. Public complaints will likely diminish over the next year, assuming another efficiently run enrollment period in autumn.

THE IRANIAN AGREEMENT

Some Background:

Conventional wisdom holds that the bad blood between the U.S. and Iran dates from the hostage crisis of 1979, an event precipitated by the Islamic Revolution. In fact, the roots go back to 1952 and the CIA's overthrow of Iran's democratically elected prime minister, Mohammed Mossadegh. (The British, who had owned Iran's oil fields since 1915, were angered by Mossadegh's nationalizing the fields and asked the U.S. for help).

It was many years before the U.S. admitted its involvement in the coup. But even with the passage of time the bitter memories in Iran have endured. It is worth remembering that the other countries involved in the negotiations—the United Kingdom, France, Germany, Russia and China—bring nothing like America's baggage to the table.

What's at Stake:

For Teheran

Iran's increasing isolation from the world after the Islamic Revolution, compounded by severe economic sanctions, provided the backdrop for its nuclear weapons program. The enmity of the U.S. and Israel only hastened the process.

When the current talks began, Iran stood on the brink of producing nuclear bombs. That process has stopped, pending the talks. If they fail, Iran will likely pick up where it left off. But the cost of the program is manifest: The economy is in tatters, and the population is young, impatient and outward-looking. Based on statements first from Lausanne and then Teheran, Iran's leaders are more than ready to make a deal.

For Washington—and the World

Overcoming more than six decades of mistrust and hatred isn't easy, especially since Israel's Prime Minister, Benjamin Netanyahu, loudly opposes any agreement. To the administration, these drawbacks are outweighed by the opportunity to stop—peacefully—an enemy from becoming more formidable.

It is not clear what would happen if Congress succeeds in blocking the agreement. Teheran would most likely resume its quest for nuclear weapons. Other nations in the region—including Saudi Arabia—would seek to develop their own nuclear weapons. Given their resources, this is a goal the Saudis could achieve quickly, a dangerous prospect given their murderous rivalry with Iran.

The Prospects:

The negotiations could still founder. But the odds on an agreement appear much better than a few weeks ago. The big, unanticipated change has been an apparent shift among Republican leaders from opposition to effective acquiescence.

That may seem inconsistent with the Senate's approval, 98-1, of a bill giving Congress the right to review the agreement. But that bill lets Obama veto any resolution rejecting the agreement. It seems unlikely Republicans who oppose the agreement—and there are many—could muster enough votes to override.

As this was written, the bill had gone to the House, where some members were talking about poison pill amendments. That tactic was tried in the Senate and failed, and Speaker Boehner has made it clear that he too wants a clean version.

Republican leaders seem to have shifted their position because of a growing realization they have no alternative. Boehner calls the agreement “a deal with the devil.” But ratcheting up sanctions and preparing for war with Iran—the prescription offered by many conservatives—is not likely to find favor with most Americans.

THE POST-JUNE PROSPECTS

In Teheran

Not all sanctions would be removed, but the most painful are the ones associated with the nuclear weapons program. A signed agreement would therefore ease pressure on Iran’s economy and enhance the popularity of those currently in charge in Teheran. Some in the U.S. and Israel claim an end to sanctions would free up money for Iran to aid Syria or Hezbollah, to take two examples. It’s possible, but unlikely. At this point, Iranians will notice every penny denied the economy.

In Washington

For the Obama administration, defeat in the Supreme Court on ACA and by Congress on Iran would be devastating.

ACA stands as *the* domestic achievement of this administration; indeed, it is arguably the greatest domestic achievement since the 1960s when President Johnson shepherded such landmark measures as Medicare and Medicaid through Congress.

Failure to win approval of the agreement with Iran would similarly rob the White House of what many analysts consider its most singular foreign affairs achievement.

On the other hand, White House victories would transform the political landscape and likely embolden Obama to advance his agenda on many other fronts, including immigration, climate change, gun control and the economy.

Anything can happen. But no matter what the outcomes, future historians will record the month of June 2015 as one of sweeping importance.