

"IT'S DIFFICULT to sort out, so we're not going to say anything further at this time." Thus spoke Ronald Ziegler the other day, commenting on what seems to us a fairly simple matter to sort out. You be the judge. On Aug. 15, 1973, President Nixon issued a formal statement to the nation with respect to what John Dean III told him in the course of their highly important March 21, 1973 meeting. It went as follows:

"It was on that day also that I learned of some of the activities on which charges of cover-up are now based. I was told that funds had been raised for payments to the defendants with the knowledge and approval of persons both on the White House staff and at the re-election committee. *But I was only told that the money had been used for attorneys' fees and family support, not that it had been paid to procure silence from the recipients.*"

In his press conference last Wednesday, by contrast, the President said the following, of that same March 21, 1973 conversation:

"Mr. Dean asked to see me and when he came into the office, soon after his arrival, he said that he wanted to tell me some things that he had not told me about the Watergate matter. And for the first time on March 21 he told me that *payments had been made to the defendants for the purpose of keeping them quiet, not simply for their defense.*"

So on August 15 of last year the President said Mr. Dean had told him that hush money payments *had not* been made and a week ago he said Mr. Dean had told him that hush money payments *had* been made. That does not strike us as a difficult distinction to sort out—but it does strike us as a very consequential one.

In between these two statements, it is true, President Nixon elaborated somewhat on his August 15 statement, but not in a way that altered its meaning. For example, at a press conference on Aug. 22, 1973, at San Clemente, the President declared that at their March 21 meeting Mr. Dean had been "concerned" about "raising" hush money for the defendants. The President went on, at that press conference, to discuss in conditional terms the dif-

ference between payments solely for legal defense and family support and the same sort of payments made under threat of blackmail to buy silence. But there was no mention of any payments actually having been made; as the President then described his March 21, 1973 exchange with Mr. Dean on the subject of payments to defendants, it had to do with *raising* money, and even this discussion was entirely in hypothetical terms. This account, we might add, is wholly consistent, not just with the August 15 statement, but with the President's first definitive, painstakingly prepared Watergate report on May 22 of last year. What is *not* consistent with these previous statements is his statement of last Wednesday night.

So it is not surprising that one of the convicted Watergate burglars, James W. McCord, has fastened on to this admission by the President as an important new development in the case, and one that could have a critical impact on his own fate as well as on that of the other six original Watergate defendants. Mr. McCord has observed: "The trial was still technically in process, in that sentencing was due March 23, 1973, two days after Nixon's conversation with John Dean. The President suppressed and concealed this evidence from the court." In a lengthy petition to the House of Representatives, Mr. McCord has cited an impressive number of federal statutes and constitutional commands which he believes to have been violated by the President in his failure to forward immediately to the court or the prosecutors the information John Dean had vouchsafed to him on March 21 of last year—according to the President's own admission last week.

Mr. Ziegler, in laying out the difficulties he perceived in sorting out this problem the other day added that "we will address it at some time in the future." It is a matter, he said, of "semantic differences." Well, that's one way of putting it. There are difficulties—and differences—to be sorted out here, all right. But they would appear to us, on the basis of the record as it now stands, to grow out of something far more substantial than a mere misunderstanding over the meaning of words.