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PMS BUDGET

(330) KENNEDY EVIDENCE

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WASHINGTON, MAY 10 (AP)-THE JUSTICE DEPARTMENT IS DRAFTING LEGISLATION TO PUT KEY EVIDENCE IN THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY--INCLUDING THE MURDER RIFLE--INTO THE NATIONAL ARCHIVES FOR PERMANENT SAFE-KEEPING.

THE DEPARTMENT HAS NOT YET DECIDED WHICH ITEMS OF EVIDENCE IT WILL WANT TO RETAIN IN GOVERNMENT HANDS.

BUT AN AUTHORITATIVE SOURCE SAID THAT THEY WILL CERTAINLY INCLUDE THE 6.5 MILLIMETER, MAIL-ORDER RIFLE USED BY LEE HARVEY OSWALD TO SHOOT KENNEDY IN DALLAS ON NOV. 22, 1963.

"WE WANT IT ALWAYS TO BE IN HANDS RESPONSIBLE TO THE GOVERNMENT, SO THAT NO QUESTIONS AS TO ITS AUTHENTICITY CAN BE RAISED IF, FOR INSTANCE, THE INVESTIGATION IS EVER REOPENED," THE INFORMANT SAID.

THE MURDER WEAPON AND OTHER PRIME EVIDENCE ARE CURRENTLY IN AN FBI STORAGE VAULT.

THE GOVERNMENT WILL ALSO RETAIN THE 38-CALIBER PISTOL OSWALD USED IN THE FATAL SHOOTING OF DALLAS POLICEMAN J. D. TIPPITT ON THE DAY OF KENNEDY'S ASSASSINATION.

A GUN COLLECTOR HAS OFFERED OSWALD'S WIDOW MARINA \$10,000 FOR THE TWO WEAPONS--EVEN THOUGH THEY ARE STILL IN GOVERNMENT POSSESSION.

IN ITS REPORT, THE NOW-DISBANDED WARREN COMMISSION WHICH INVESTIGATED THE KENNEDY ASSASSINATION REQUESTED THE JUSTICE DEPARTMENT TO DECIDE WHAT TO DO WITH THE EVIDENCE THAT ACCUMULATED DURING THE 10-MONTH PROBE.

THE JUSTICE DEPARTMENT PLANS TO BASE ITS PROPOSAL SOLELY ON THE PROPOSITION THAT IT IS IN THE NATIONAL INTEREST TO MAKE ABSOLUTELY SECURE THE KEY PHYSICAL EVIDENCE IN THE ASSASSINATION.

"WE THINK PHYSICAL EVIDENCE RELATING DIRECTLY TO THE CRIME ITSELF SHOULD BE PRESERVED UNDER ABSOLUTE SECURITY SO THAT THE PUBLIC MAY ALWAYS BE ASSURED OF ITS NATURE AND CHARACTER," THE OFFICIAL SAID.

NO PUBLIC DISPLAY OF THE EVIDENCE IS PLANNED.

THE LEGISLATION ALSO WILL PERMIT PERSONS WHOSE PROPERTY IS CLAIMED BY THE FEDERAL GOVERNMENT TO SUE IN FEDERAL COURT FOR COMPENSATION.

"PEOPLE ARE ENTITLED TO BE PAID FOR IT," THE SOURCE SAID. "THE COURTS WILL DETERMINE HOW MUCH. BUT IT'S HORRIBLE TO IMAGINE THAT THE INSTRUMENTS OF SUCH A HEINOUS CRIME COULD RESULT IN A WINDFALL TO ANYONE."

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