

5530 Eastbourne Drive
Springfield, VA 22151
4 October 1992 5:44pm

Mr. Harold Weisberg
7627 Old Receiver Road
Frederick, MD 21702

Dear Mr. Weisberg:

Sorry I've been delinquent in corresponding but I've again been out of the country on business.

Not much to say as my travels have curtailed my personal activities significantly. However, regarding the issue of bullets the following is the best estimate:

An opinion of the Office of the Judge Advocate General of the Army¹ sets out clearly the rules surrounding the use of small arms. Extracts of this opinion are as follows:

There is no conventional or customary international law prohibiting the use of shotguns, as such, in warfare. There is an international law restriction, however, on the types of bullets that may be used in both smooth-bore and rifled small arms.

The first Hague Peace Conference of 1899 made the following Declaration concerning expanding bullets:

The contracting Parties agree to abstain from the use of bullets which expand or flatten easily in the human body, such as bullets with a hard envelope which does not entirely cover the core or is pierced with incisions.²

The United States was not a party to this Declaration. Its delegation at the conference had urged the adoption of a more severe limitation:

The use of bullets inflicting wounds of useless cruelty, such as explosive bullets, and in general all kinds of bullets which exceed the limit necessary for placing a man *hors de combat* should be forbidden.³

¹ JAGW, 1960/1305, 4 January 1961.

² The Hague Conventions and Declarations of 1899 and 1907 (3d ed., Scott, 1918) p. 227.

³ The Proceedings of the Hague Peace Conferences - The Conferences of 1899 (Scott, ed., 1920) p. 80.

The United States is a signatory to Hague Convention IV of 1907, *Respecting the Laws and Customs of War on Land*, which provides in Article 23(e) of the Annex, that it shall be unlawful *To employ arms, projectiles, or material calculated to cause unnecessary suffering.*

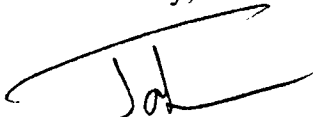
Paragraph 34 of Department of the Army Field Manual 27-10, *The Law of Land Warfare*, construed this provision as forbidding *...irregular-shaped bullets, and projectiles filled with glass,...and the scoring of the surface or the filing of the ends of the hard case of bullets.* This amounts to an official prohibition of bullets which tear an unnecessarily large hole. The use of an unjacketed lead bullet is now considered a violation of the laws of war.

I hope this provides some insight into this issue...I'll continue to explore it as time permits.

It appears that Congress has passed the legislation regarding documents related to the assassination...it will be interesting to see how it works out in reality.

Regards to Mrs. Weisberg...hope to visit with you soon

Sincerely,

A handwritten signature in black ink, appearing to read 'John W. Masland', with a long horizontal flourish extending to the left.

John W. Masland