

## Responses

1 historical places are, what the sacred places are, and  
2 all of that. They document it, everything. Now, how  
3 lucky for us. It's all being paid for. It's all being  
4 paid for.

5           And it's not gratitude from me but just common  
6 sense that this aina should. World War II they had to  
7 practice, no differences than the tennis players that  
8 want to be way up there and the baseball players that  
9 want to be up there in the big league and make millions.  
10 You have to practice. So I want to give the military,  
11 the Army, A-plus for taking good care of Makua.

12           Although like we know they dropped some bombs.  
13 And that wasn't to bomb in Makua. That's wrong. They  
14 had to offload their planes because wherever they went  
15 they couldn't go land on the landing field with a bomb  
16 attached to the bottom of the plane. So let's get the  
17 record straight. They didn't bomb Makua to bomb Makua,  
18 they bombed to off-load their ammo, their bombs. Makua  
19 wasn't a bombing range. No way. It was a gunnery  
20 range, yes. They shot from the ocean on ships. And  
21 shot at a concrete block that was around 20 feet long  
22 and about ten feet high and about eight feet thick.

23           The Helenihi house didn't get bombed. The  
24 Helenihi house burnt. A church burnt. And why the  
25 church burnt? Because nobody took care of the aina.

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The Army thanks you for your comment and appreciates your participation in this public review process. Your comment has been considered and has been included as part of the administrative record for this process.

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1 Nobody went there. Yep, straight scoop. The church  
2 burnt because no one took care of the graveyard and all  
3 the bushes was growing up alongside the church, past the  
4 roof. And when the fire, somebody started the fire,  
5 passed the church, and the fire came back and burnt the  
6 church. Sorry that happened.

7 I hope one day the Army will help us restore  
8 that church. I think they can. They got the engineers  
9 and they got -- they have everyone. It was a small  
10 church but it was important for us. I have ohana buried  
11 there. My mother's ohana. And that's my ohana.

12 So I want to thank everyone for giving me this  
13 chance to express my mana'o as everybody else did.  
14 Mahalo and aloha.

15 FACILITATOR GOMES: Mahalo, Mr. Silva. Is  
16 there anyone else who would like to comment on the EIS  
17 at this time? If not, I'd like to call up Colonel  
18 Killian to give some closing remarks.

19 COLONEL KILLIAN: Well, I don't know what to say  
20 after Uncle Albert got up and shared that with us. I  
21 know how difficult it was for everybody here over the  
22 course of this entire week, actually over the course of  
23 the last 30 years, to deal with this complicated issue.

24 As I started out this evening tonight's not the  
25 last you will have an opportunity to engage with your

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1 Army. We are here and we would like to hear from you.  
2 You have at least until the 21st of September and, as I  
3 said, we will consider an extension.

4 But we would like to point out there are many  
5 people in the audience tonight that are subject matter  
6 experts, at least we consider them so, who would love to  
7 be able to share with you, to learn from you and to work  
8 with you to try to achieve some sort of balance within  
9 the valley so that you can continue to practice in a  
10 traditional way while we also have the responsibility of  
11 training our young men and women as they get ready to  
12 deploy to the global war on terrorism.

13 Again there are many, many different ways for  
14 you to share. Makuaeis.com continues to be up if you  
15 have Internet access. We will do everything in our  
16 power to try to be able to capture all these issues.

17 As I've said in other meetings the transcription  
18 will be posted on the web. We can provide that to you,  
19 but what we'd really like to do is make sure that we've  
20 accurately captured what was said. And so if you have  
21 the opportunity, please, please, do a proofread on what  
22 your testimony was so that we've got it right.

23 Again, it's been a long week. I appreciate  
24 everybody, I know how hard it is to get up here and what  
25 courage it takes to speak from the heart. Thank you

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1 very much.

2 FACILITATOR GOMES: With that we'd like to thank  
3 everyone, especially the people from the community,  
4 Waianae community, for hosting everybody. And thank you  
5 all for coming out. Mahalo.

6 Aunty Frenchy's asking and just reminded me that  
7 protocol calls for a closing pule.

8 (Closing pule given by Albert Silva.)

9 (Proceedings concluded at 6:15 p.m.)

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C E R T I F I C A T E

I, MADELINE B. GABLE, Certified Shorthand Reporter for the State of Hawaii, and JAMIE MIYATA, Certified Shorthand Reporter, do hereby certify:

That we were acting as shorthand reporters in the foregoing matter on the 27th day of August, 2005.

That the proceedings were taken down in computerized machine shorthand by us and were thereafter reduced to print under our supervision; that the foregoing represents, to the best of our ability, a correct transcript of the proceedings had in the foregoing matter.

Each of us further certify that we are not counsel for any of the parties hereto, nor in any way interested in the outcome of the cause named in the caption.

Dated: September 7, 2005.

  
MADELINE B. GABLE  
Certified Shorthand Reporter #210

  
JAMIE MIYATA  
Certified Shorthand Reporter

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**Comments**

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**Responses**

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PUBLIC COMMENT MEETING  
MARINE RESOURCE STUDY -  
ARCHAEOLOGICAL SUBSURFACE SURVEY - DEIS  
FEBRUARY 24, 2007  
WAIANAЕ, WAIANAЕ DISTRICT PARK

BEFORE: RITA KING, RPR, CSR #373  
Court Reporter, State of Hawaii

**Comments**

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1           SHERMAIH IAEEA, JR.: Aloha kakou. If I  
2 knew that I was going to be invited up here to  
3 speak when I signed in, I would have my wife sign  
4 in because I'm not an eloquent speaker, but I'm  
5 here, basically, because during the last meeting  
6 they asked for verification of the lineage that we  
7 have, family lineage in Makua, and we do have  
8 family lineage, very big family lineage in Makua.  
9 I have a paper here from Dr. Reverand Kaleo  
10 Patterson who wrote this for me, and he says that  
11 he's the grandson, he's the great, great, great  
12 grandson of Kamakea, which is part of our lineage,  
13 and I am the great, great grandson of Kamakea and  
14 Issac Iaea.

15           This is a very brief description of  
16 family relationship in Makua Valley and surrounding  
17 area that is documented to Mahele records. In the  
18 Mahele Claims for Kawaiiloa, you will find Kamakea  
19 LCA2896, Iaea LCA3454-B, and Moo LCA3703, these  
20 names are all related to ohana, and these are the  
21 names you find related to LCA6092 in Makua Valley,  
22 Kahanahaiki, two parcels under Kamakea and the  
23 Iaea. Other names are also related as you will  
24 find listed in Kawaiiloa Mahele. Oral history  
25 consists of fishing and seasonal camping, family

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1 burial areas in the area and connection with  
2 Waialua and Kawailoa. For more information on  
3 genealogy on Kamakea, Iaea and Moo, and others, see  
4 Anahulu Volumes I and II by Patrick V. Kirch and  
5 Marshall Sahlins.

6           Many Iaea-Kamakea family members still  
7 live in Makaha and on the Waianae Coast. Very  
8 little knowledge of Makua since displacement most  
9 family connection related to Kawailoa/Waialua,  
10 written by Kaleo Patterson. This is the  
11 documentation of the families, all families on  
12 Makua. So, I'm through with that. That was what I  
13 was told to bring, but I have other things to say.

14           I'm a very angry military guy. I spent a  
15 good part of my life in the military, and when I  
16 find that Hawaiians are up in arms and trying to  
17 protest what we are trying to do right by  
18 protesting our training, by saying we can't do this  
19 and we can't do that, it just hurts me.

20           I really don't know what you're  
21 protesting about our training in little Makua,  
22 about the fish, about the bones, you know, our land  
23 is sacred, all land is sacred, where I live, where  
24 you live now, not just Makua. What are you  
25 protesting? You protesting against our gods or

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1 your god? You protesting the violence? What are  
2 you protesting, the animals, the plants? There are  
3 plants up there, there's plenty goats up there,  
4 too, eating the plants, why don't you protest them?  
5 It doesn't make any sense, it doesn't make any  
6 sense one bit. There's a law that should be  
7 passed, and I wish we had martial law because we  
8 are at war, whether you like it or not.

9 I remember during the Second World War, I  
10 was 10 years old at the time, I lived in Kalihi at  
11 that time, right up the road about two blocks away  
12 they had an Army camp, I used to go with the guys  
13 up there and go to the mess hall and eat with them,  
14 so I've been a military guy for a long time. When  
15 they were here at that time they can do anything  
16 they wanted because there was a war going on.  
17 Well, what the hell, the war's going on now. What  
18 can we do now? We run into protest after protest.  
19 I don't understand that, I don't understand  
20 anything about the limu, the fish, the water or the  
21 bones, all I know is all my relatives in heaven,  
22 they're not in Makua, all my people are in heaven.  
23 So is the land sacred? Yes, all land is sacred.  
24 If there was a way that we can, I would award  
25 everyone in the protest group, if there's any way

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1 we can do something, to get them for treason,  
2 that's what it is, treason. Thank you.

3 ANNELLE AMARAL: Thank you, Mr. Iaea.  
4 Mahalo.

5 Our next speaker is Debra Gregory and  
6 following Debra is Bill Prescott.

7  
8 DEBRA GREGORY: Hi, my name's Debra  
9 Gregory. I don't have too much to say right now, I  
10 just got the report and I briefly reviewed it, and  
11 I'm shocked, my intelligence is so insulted and  
12 this is why. You're supposed to do 350, you did  
13 350 probes, that's what you call them, probes, 350  
14 probes, 50 were done in area one, am I correct, or  
15 was that area three? You should know, right?

16 ANNELLE AMARAL: This is the time that  
17 you get to make a statement, not ask questions.

18 DEBRA GREGORY: Okay. Well, I got  
19 nothing really much to say right now except that  
20 I'm really, I'm really flabbergasted, this is so  
21 insulting, I can't believe you guys put this in  
22 here. I mean, why do a subsurface survey in an  
23 area where it's highly unlikely that you will  
24 uncover anything archeological, like in a lava  
25 field where the rocks are like 20 feet thick, so

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1 thick, in fact, that you had to put -- what is it  
2 called -- AraGas. So 200 probes done by gas in an  
3 area where it's highly unlikely, and you even said  
4 so yourself, highly unlikely that you will find any  
5 archeological remains of anything. Okay, so you  
6 did 150, you did 150 subsurface probes in areas  
7 where you were actually supposed to have done them,  
8 that's good, but then the 200 in an area where you  
9 weren't supposed to have done them, took it upon  
10 yourself to change the plan entirely, so this is  
11 totally unacceptable, I won't qualify it, I won't  
12 quantify it, and you can kiss my ass.

13 ANNELLE AMARAL: Mahalo.

14 If you haven't had a chance to read the  
15 document and you want to read it, then put in your  
16 testimony at a later time. As has already been  
17 indicated, that can be done by the website.

18 Again, I'm going to repeat, we have some  
19 strong feelings one way or the other about the  
20 subject matter, and it is wonderful to hear your  
21 mana'o, there is no need to be rude, there is no  
22 need to be disagreeable, so if we can sort of  
23 manage ourselves and temper ourselves, I'd  
24 appreciate it. Mahalo.

25 Our next speaker is Mr. Prescott, and

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8

1 after that Adrian Silva.

2 Aloha, Mr. Prescott.

3

4 BILL PRESCOTT: Aloha kakou, my name is  
5 Bill Prescott, I'm Bill Punini Prescott, I want you  
6 all to know that I am a native Hawaiian. You know,  
7 back in those days, my mother's days, the  
8 Hawaiian's tended to marry haoles who had some  
9 money, you know, like Bernice Pauahi married  
10 Charles Bishop and Lydia Dominis -- how many of you  
11 know Lydia Dominis?

12 ANNELLE AMARAL: Liliuokalani.

13 BILL PRESCOTT: Everybody knows her by  
14 Liliuokalani. She married a haole. These guys had  
15 money, my mother married somebody that was good  
16 looking.

17 Anyway, to start with, having read the  
18 works that went into the marine resource study and  
19 archeological subsurface survey, I want to  
20 compliment all of you for doing a job well done.  
21 You know, at this time, I'd really like to address  
22 members of our community and say on behalf of the  
23 Waianae Veterans of Foreign Wars, we want to ask  
24 you to join us in supporting the training our  
25 soldiers will need in order to accomplish their

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1 mission and return home safely after they deploy  
2 later this year, keeping in mind that many of these  
3 soldiers to be deployed are our own Hawaii sons and  
4 daughters. You know, we sometimes tend to forget  
5 that our soldiers are stationed in Hawaii not by  
6 choice, they're here because those that we elected  
7 to congress, Senator Dan Inouye, Akaka,  
8 Representatives Abercrombie and Case, brought the  
9 people here, and it wasn't our soldier's decision  
10 to fight terrorism in Iraq and Afghanistan, they're  
11 there because our president and our congressional  
12 representatives, who we elected, decided to send  
13 them there, it wasn't our soldier's choice. So if  
14 you don't agree with the decision that was made,  
15 then you should take it up with those people that  
16 you elected and not our soldiers.

17           To those Hawaiians who believe that Makua  
18 is sacred, we, the native Hawaiians of the Waianae  
19 Veterans of Foreign Wars, want to assure you that  
20 Makua is no more sacred than the grounds on which  
21 this building now sits. Anyone who has studied  
22 Hawaiian culture knows that there was a time when  
23 mana, or spiritual power, existed in people, in  
24 plants, animals, yes, and even stones, and that  
25 mana controlled all aspects of Hawaiian life. This

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1 spiritual power came from the gods and those  
2 closest to the gods had the most mana, people had  
3 more mana than the plants, than the rocks. The  
4 kahunas had more spiritual power than the people,  
5 and the Alii, because they could trace their  
6 lineage back to the gods, had even more mana,  
7 spiritual power.

8           The kapu protected the mana and helped to  
9 maintain order. Breaking a kapu could have  
10 terrible consequences, the gods could get angry and  
11 vengeful causing volcanos to erupt, tidal waves to  
12 form, earthquakes to devastate the land, and,  
13 therefore, anyone breaking the kapu had to be put  
14 to death, and those were our Hawaiian cultural  
15 practices in those days. However, in 1819 all of  
16 that changed when Liholiho, Kamehameha II, sat and  
17 dined with some noble women, including his mother,  
18 Queen Keopuolani. By doing so, the King himself  
19 openly violated one of the most sacred of all  
20 kapus, that which prohibited men and women from  
21 eating together.

22           You know, shortly thereafter,  
23 Kamehameha II ordered all the god images to be  
24 burned, all the heiaus demolished throughout the  
25 islands, all of the heiaus, these were sacred

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1 places of worship, some of these heiaus, luakinis,  
2 were used to sacrifice Hawaiians to the gods, no  
3 more were they sacred, and what his orders did was  
4 to bring an end to the Hawaiian religion and the  
5 kapu system that supported it. Now, with the  
6 arrival of Christians the following year in 1820,  
7 Hawaiians were quick to embrace this religion of  
8 one god, a god of love and forgiveness. With this  
9 god you could break a kapu and sin against this god  
10 and still be forgiven. So while Makua was  
11 considered sacred in our old culture, it is not now  
12 sacred in our new culture. And just as people had  
13 more mana than plants and animals back in the old  
14 culture, being born in the image and likeness of  
15 god, sacredness of people still reign in our new  
16 culture.

17           To those who oppose the military, let me  
18 ask you, Do you oppose police officers as well, do  
19 you believe that we will ever be rid of crime and  
20 criminals on our streets, and do you believe we  
21 will ever see the end of wars and meaningless mass  
22 killing of people? Just as our police keep our  
23 families safe from harm, so, too, does our military  
24 keep our country safe from radical nations and  
25 terrorists who wish to do us harm.

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12

1           You know, one last thought I'd like to  
2 leave you with is what Prime Minister Tony Blair  
3 said when asked why he believed in America so much,  
4 and what he said was, You know what, a simple way  
5 to measure the worth of a country is to look at how  
6 many people want in and how many people want out.  
7 He went on to say, there are only two defining  
8 forces ever offered to die for you, one was Jesus  
9 Christ, the other the American GI, one died for  
10 your soul and the other for your freedom.

11           Again, I ask you to join us in supporting  
12 our soldier's training needs. Thank you.

13           ANNELE AMARAL: Thank you very much.

14           Our next speaker is Adrian Silva, Junior,  
15 followed by Pat Patterson.

16           Adrian Silva, Junior.

17

18           ADRIAN SILVA, JUNIOR: Aloha. You know,  
19 it's very obvious that everybody sitting in the  
20 chairs in front of me must have a child somewhere  
21 or know of a child. What I'm talking about is the  
22 word training. We know this EIS is very important,  
23 likewise with training. How many of you have kids  
24 in high school, kids in elementary school, they're  
25 training; isn't that correct? Without training we

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1 would be useless, we wouldn't be able to read, we  
2 wouldn't be able to write, that's training.

3           You know, most of you understand the role  
4 in the life of a soldier, he goes far off and he  
5 trains, and he tells you it's frightening, you  
6 never know when and which bullet has your name on  
7 it, but he has got to be on his very best and  
8 that's why he trains. So I don't want to be up  
9 here too long to let you know that if a GI don't  
10 train, he's not ready. EIS is important and so is  
11 a soldier's life. Thank you.

12           ANNELLE AMARAL: Thank you, very much.

13           Our next speaker is Pat Patterson,  
14 followed by David Henkin.

15

16           PAT PATTERSON: Aloha, I'm Pat Patterson,  
17 a member of the Hui Malama O Makua, the larger  
18 group that has their arms around Malama Makua. I  
19 haven't been to the library to pick up my copies of  
20 these reports but I'm very happy to see them.

21           Opening up the one on the archeological  
22 study, something came to me that's bothered me ever  
23 since I've been involved with Makua since 1996.

24 All of the areas of Makua have the names of animals  
25 we don't even have in Hawaii, to me that tells me

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14

1 people who use those names don't belong there,  
2 Badger, Fox, Dear, Deeds, Coyote, Wolf, at least we  
3 could have Hawaiian animals, and we might get used  
4 to calling them that.

5 I looked at the foldout map on the  
6 archeology, also Figures 15, 16 and 17, it shows  
7 the shovel test probes, but it doesn't say how deep  
8 those went, whether it was one shovel full or 10  
9 shovels full. You know, archeological tells all  
10 across the world there are layers indicating  
11 whether there were people living there or not, and  
12 then they get covered up and covered up and covered  
13 up, I don't think shovel probes would tell very  
14 much about an area where people have lived for,  
15 perhaps, 2,000 years, I know we've got to go much,  
16 much deeper.

17 On page 10 I see two unrecorded  
18 archeological features, my question is, When will  
19 those unrecorded archeological features been  
20 investigated and studied? And this brings me to  
21 asking another question to Dr. Lucking, Have you  
22 yet had a chance to look at the archeological sites  
23 on the north road and above?

24 As far as the marine resources study, I'm  
25 very happy that this has occurred. Before, when we

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If a feature was located, it would have been preserved. The Army's position has been to preserve the sites, not to destroy them by digging them up.

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1 only went around the edge of the muluwai and go  
2 down seven inches, we didn't learn very much.  
3 Hopefully, this study will give us a great deal  
4 more. Thank you.

5 ANNELLE AMARAL: Thank you very much.  
6 Our next speaker is Mr. David Henkin.  
7 David Henkin.

8

9 DAVID HENKIN: Aloha kakou, my name is  
10 David Henkin, I'm an attorney with Earth Justice,  
11 and since 1995 I've been working with members of  
12 this community over concerns about the effects of  
13 live fire training at Makua.

14 I'd like to sort of preface this by  
15 explaining what exactly I've been doing over the  
16 last 12 years. This really isn't a question about  
17 whether American soldiers are going to be able to  
18 train, it's a question about making informed  
19 decisions about the best places to do that. The  
20 purpose of the Environmental Impact Study and of  
21 the National Environmental Policy Act is to make  
22 sure that the Army and, in fact, every federal  
23 agency can make fully informed decisions about  
24 where to carry out its activities, particularly  
25 where those activities might cause significant

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1 effects to the human environment, so we're in that  
2 equation.

3           So, you know, ultimately it's not about  
4 whether soldiers train or not, it's about where  
5 they should train and how they should train, an  
6 informed decision, and that's an informed decision  
7 not only that the Army needs to make but the law  
8 recognizes the importance of public information so  
9 that the public can keep an eye on its government,  
10 its elected officials, the folks who said that we  
11 need to hold them accountable for the decisions,  
12 absolutely correct. Part of this environmental  
13 review process is to make sure that we have the  
14 information that we need to so that we can know  
15 what should be done and if we disagree with the  
16 decisions that are made by the Army, we can raise  
17 that through the Democrat process.

18           It's in that spirit that I offer these  
19 comments. First, a few I just want to get out of  
20 the way, a few procedural things, they're not  
21 really procedural, but they're not getting to the  
22 substance. In order to provide the public with an  
23 opportunity, really, to offer meaningful comments  
24 here, and by the public I mean lay people like  
25 myself and also experts who can really take a look

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1 at these marine studies and get into the science of  
2 it, they need to have the data on which those  
3 studies are based, and I know that there was an  
4 effort to put those on the website. I did mention  
5 to the Tetra Tech folks, and I just want to put it  
6 on the record, that the field notes for the marine  
7 study are in many cases completely illegible, not  
8 suggesting anyone did anything intentional but you  
9 need to make the copies darker so one can actually  
10 read what species was collected where, and that  
11 information should be promptly provided to the  
12 public because we have a limited amount of time to  
13 comment. We have retained Ph.D.'s in this and  
14 they've just said they cannot review certain  
15 aspects of the study until they actually can look  
16 at the data.

17 Same thing, there's a table B, as in boy,  
18 one that was supposed to be in appendix B that  
19 would set forth how the samples were composited, in  
20 other words, how different fish and limu species  
21 were mixed together. I couldn't find it, I looked  
22 through every page of appendix B, hundreds of  
23 pages, I couldn't find it, so, again, that  
24 information just needs to be provided. And, again,  
25 these are things that just unintentional, I'm sure,

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1 but even the hard copies that were provided today  
2 of the document, and it's appreciated the effort,  
3 if you look at it, and I don't know what's going on  
4 with the word processing program, but look, for  
5 example, on page 4-6, there are boxes instead of  
6 numbers, so certain numbers are coming through as  
7 boxes. So, you know, for example, if you want to,  
8 you know, they say later, USEPA guidance provides a  
9 mean uncooked fish consumption rate for the general  
10 U.S. population of box, 2.59 grams per day, and,  
11 anyway, there's boxes all over the place, so you  
12 actually don't even have the numbers, so we need to  
13 correct that, and I think we need to extend the  
14 comment period, there's a 60 day comment period as  
15 required under the settlement agreement so that  
16 people can actually review the information. That  
17 information, you know, should be provided promptly,  
18 both on the website and in a hard copy to people  
19 who wanted it.

20           Getting to the substance of the EIS,  
21 because this is a comment period as well on the  
22 entire Environmental Impact Statement, the draft  
23 that was put out for review last year, I think it  
24 was last year, it's been awhile, one of the  
25 questions that came up had to do with the alleged