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Jan 01 2014 Nuclear Stalemate

When will PBS air exposé on deadly Pacific bomb tests?

By Lane Wollerton

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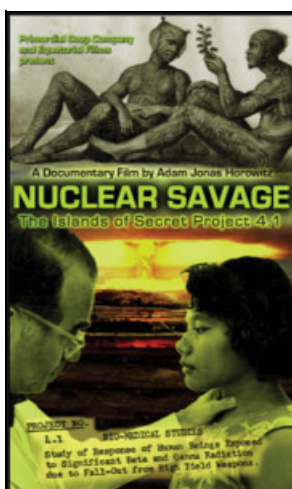
The documentary *Nuclear Savage* details the United States' use of Marshall Islanders as guinea pigs in a Cold War-era study of the effects of radiation on human subjects. The film portrays the Pacific Islands as a "paradise lost," brought about by the nearly 70 U.S. nuclear weapons testing detonations that began there in 1946.

Much of the information contained in the film is already a matter of public knowledge (albeit on the fringes of our collective consciousness). What makes *Nuclear Savage* noteworthy is its in-depth analysis of formerly confidential government documents—documents providing evidence that the US actually intended to use the Marshallese people as unwitting subjects in its radiation science experiments.

In 2007, in exchange for four years of exclusive broadcasting rights, the public television company Pacific Islanders in Communications (PIC) agreed to fund both the production and post-production of this project by filmmaker and former Greenpeace activist Adam Horowitz. PIC provides programming to **PBS** and is funded by the Corporation for Public Broadcasting.

In October 2011, Horowitz delivered a finished, 86-minute cut to PIC. That same month, *Nuclear Savage* had its official international premiere at the Amsterdam International Documentary Film Festival, where it received a nomination for Best Environmental Film.

Since its debut, *Nuclear Savage* has received impressive reviews from numerous sources. Robert Koehler of the **Chicago Tribune** (2/16/12) described it as "one of the most disturbing documentaries I have ever seen," emphasizing that "the film does a stunning job juxtaposing examples of our smug ignorance of South Sea culture with the reality of what we did to it."



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Variety's Richard Kuipers (11/2/12) described the film as "highly charged and well-assembled," predicting that it would be "sure to trigger discussion when broadcast on **PBS** in 2013. On-air date has yet to be announced."

Since then, the on-air date has been announced—multiple times. Yet each promised broadcast date has come and gone with no appearance of Horowitz's film on any of **PBS's** affiliate channels.

The first sign of trouble was financial. According to Leanne Ferrer, who has risen in the ranks at PIC since 2007 from program director to executive director, PIC invested \$100,000 of public television funds in Horowitz's project. Yet despite agreeing to foot the bill for both production and post-production, Horowitz says he wasn't paid for post-production costs until nearly a year after he submitted the final cut of the film, forcing him to pay \$10,000 out of pocket.

Meanwhile, after the premiere, Horowitz says he was informed by PIC that it needed to make cuts to the film, ostensibly to make it more likely to air. Ferrer claims the cuts were prompted by the fact that "it's harder for programmers to program an hour and a half show." Since Horowitz was still waiting on the \$10,000 owed him, he wasn't in much of a position to negotiate. According to Horowitz, PIC "used this pending payment as leverage to get me to agree to allow them to recut the film, and shorten its length to 55 minutes from the original 86 minutes."

PIC hired an editor to eliminate over 30 minutes of footage from *Nuclear Savage*. The cuts involved what Horowitz considered to be some of the most important elements of the film, including the focus on declassified government documents.

By spring 2012, it looked as though Horowitz's concessions were about to pay off. Ferrer contacted him with the news that **American Public Television** had decided to include the 55-minute cut as part of a series called **Pacific Heartbeat**, which would showcase documentaries relating to the Pacific Islands.

But the good news was revoked almost as quickly as it was delivered. According to Horowitz, the head executive behind **Pacific Heartbeat**, Tom Davison, told Horowitz that the documentary was "biased" and that unspecified parts needed to be reworked.

In an August 2, 2012, email to Ferrer, Horowitz said he was "completely open to changes and improvements." In a response email, Ferrer stated, "Since I'm on vacation for two weeks, there is no one there to sign checks, so all payments are on hold anyway until I get back." A year after the film was delivered, a public television company could not pay the filmmaker because no one was in the office to sign his check.

Horowitz clearly articulated multiple times that he was open to rewriting his film, a film that had already been cut by more than a third. But, according to Horowitz, Davison never provided any specifics about the film that needed to be



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altered. Instead, the show was simply not included in the **Pacific Heartbeat** series.

By fall 2012, after more pressure from Horowitz, PIC had a new reason not to run the film. With supposed issues of length and bias resolved, PIC suddenly needed written clearance from every person who appeared in the video. When Horowitz protested, the company demanded a letter from an attorney articulating why the performance releases were not necessitated.

Horowitz provided one from Tony DeBrum, lawyer and minister to the Marshall Islands:

I understand that the organization wants to have clearance from some of the people who were interviewed. Many of the people in Adam's video are friends of mine and fellow workers in the effort to seek nuclear justice in our islands. Unfortunately many of them, including Lijon Eknilan, John Anjain, Almira Matayoshi, Rokko Langinbelik, Ishmael John and perhaps others, have passed away.

It would be a grim *Catch-22* if radiation refugees were not allowed to tell their stories because they hadn't signed release papers—which they can't sign because they're dead.

Horowitz also hired attorney Frank Dehn, who has represented media clients like the **BBC**, **HBO** and **Sony Pictures**. Dehn wrote to Ferrer on October 29, 2012:

We have carefully reviewed the film, and our conclusion is that First Amendment protection accorded to factual, newsworthy works completely obviates any requirement that might otherwise exist to obtain the written permission of individuals appearing in the film.

At last, after several months of back-and-forth, it was agreed that the issue of clearance letters had been resolved. In an email exchange on April 22, 2013, Tom Davison let Horowitz know that his documentary would be airing in its 55-minute version through **World Channel**: "*Nuclear Savage* is scheduled to air May 28 at 9 a.m., 3 p.m., 8 p.m. and 1 a.m. (May 29). Congratulations on this airing."

The documentary was advertised on **World Channel's** own website as well as a number of other publications. **KQED**, a San Francisco **PBS** affiliate, listed *Nuclear Savage* for June 2 under the headline "Upcoming Broadcasts," touting it as an "award-winning shocking political and cultural documentary."

But May 28 and June 2 came and went, and *Nuclear Savage* was still never transmitted through any **PBS** affiliate. It was pulled from the lineup without any excuse or explanation to the public.

According to Ferrer, this was more of an internal snafu than an attempt at

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copyright. "**World Channel** put it in the queue thinking, 'OK, we'll get to it,' but then people started advertising it prematurely." Ferrer says **PBS** was never trying to suppress the film, but simply made a mistake by placing it in the queue before necessary changes were discussed. "I completely understand Adam's frustration because I, as well as him, have been waiting for a while," she says. "That being said, **PBS** moves slowly." Davison's email exchange with Horowitz, however, explicitly stated that the film was scheduled to air.

Fed up and looking to sell the broadcasting rights to an outlet that would actually give it airtime, Horowitz contacted Amber McClure, current program manager at PIC, with the question:

Am I correct in interpreting my contract with PIC to say that I am allowed, and have the option, to try to sell this film to other US broadcasters or cable TV if it has not been broadcast within one year of its delivery to PIC?

Her response:

According to your contract, "If PIC is unable to secure an Initial National Public Television Release within one year following the decline of the Production by **PBS**, the parties shall enter into good faith negotiations to discuss, among other things, a reversion of rights to the Production." Your program has not been declined by **PBS**.

Luckily, the information that PIC was contractually allowed to sit on the film indefinitely was cushioned by the news that **World Channel**, the same affiliate that dropped the May/June showings without warning to the public, "expressed the intent" to show the film before the end of 2013. According to McClure, this was in order to release the documentary during a more "military-themed time—perhaps around December 7.

As of December 3, 2013, PIC has communicated that the broadcasting of the show will be delayed yet again. Ferrer says *Nuclear Savage* will not be airing this month, and will instead "be pushed out further just because there are still other changes to be made."


Despite what appears to Horowitz to be extended stall tactics, however, Ferrer insists no foul play is afoot: "There is no conspiracy theory, no one wants to suppress the story." She adds, "If Adam is willing to make the changes, I will work with him to get the film onto national **PBS**." But if not, she says she is willing to enter into discussions to officially terminate his contract with **PBS**. (It's possible too that continuing press interest in the documentary's fate may have contributed to this new willingness to consider ending Horowitz's contract—e.g., **Santa Fe Reporter**, [11/26/13](#).)

Nuclear Savage seeks to answer one overarching question: When the US started using the Marshall Islands as a nuclear weapons testing site in 1946, did the US government intentionally expose Marshall Islanders to extremely toxic

levels of radiation as part of a plan to study its effects on human subjects? According to this film, and the declassified government documents it analyzes, the answer is a resounding "yes."

It remains to be seen if that is an answer **PBS** will be sharing with anyone anytime soon.

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[...] in Communications (PIC), che è un'emanazione di PBS, il documentario è andato incontro a una serie di opposizioni e resistenze davvero singolare. Il problema del documentario sembra essere nel fatto che anche dopo i tagli reca [...]

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[...] Para poder poder llevar a cabo el rodaje del documental Salvajismo nuclear, PIC subvencionó con 100.000 dólares a través del Servicio Público de Difusión. Horowitz terminó el documental, de 87 minutos de duración, en octubre de 2011, siendo propuesto para el premio como Mejor Película Documental en el Festival Internacional de Amsterdam. Pero enseguida los responsables del Servicio de Difusión empezaron a poner trabas para que su emisión y fuese conocida por el público, táctica que continúa en 2014. Imparcialidad y Exactitud en la Información (FAIR) informó de esta situación en Estancamiento nuclear. [...]

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Sent to PBS today:

Re: Nuclear Stalemate

When will PBS air exposé on deadly Pacific bomb tests?

<http://fair.org/extra-online-articles/nuclear-stalemate/>

Shame on you, PBS.

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o  Vredereplied:

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The response from PBS' Ombudsman (within 1/2 hour!):

"I'm told that "Nuclear Savage" is not a PBS project and not a program

distributed by PBS. Indeed, no one here seemed to know anything about it, so it took some time to get some information. The "PBS executive" mentioned, Tom Davison, is actually an employee of American Public Television (APT), another distributor of programming for public broadcasters. Jamie Haines, Vice President, Communications at American Public Television is probably your best bet. She can be reached at 617-338-4455 x 129 or jamie_haines@aptonline.org PBS is also not involved in WORLD, which is distributed by APT. Two PBS member stations are involved--WGBH and WNET. But all stations are independent and can broadcast whatever they choose."

I'm sending the same note to APT. We'll see.

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Another fast response:

"Thank you for contacting American Public Television (APT). The program Nuclear Savage was submitted to APT for review as part of an anthology series from Pacific Islanders in Communications (PIC). It was rejected based on our editorial standards.

To find out where the program stands at this time, I encourage you to contact the team at PIC. They could respond to your concerns and could tell you where the program stands with regard to the WORLD channel, as well. Their website is at <http://www.piccom.org>, where you will find contact information, as well.

Best,
 Jamie
 Jamie Haines, APR
 Vice President, Communications
 American Public Television"

Both PBS and APT are washing their hands of that matter. Your thoughts, Lane Wollerton?

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I asked, "What "editorial standards" led you to reject Nuclear Savage?"

The reply:

"APT receives thousands of programs for review every year and applies

the same standards to every program we receive. With more than 300 hours of new programming released each year, it is critical that we follow those standards to meet the requirements which allow non-commercial, public broadcasting stations to continue. In rejecting any submission, we communicate with the program supplier confidentially and directly. In this case, that program supplier was PIC.

Best,
Jamie"

Fair enough, if "confidentially and directly" is the justifiable standard then I can't gripe. Still, it would be nice to know.

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