



Office of the Inspector General

September 19, 2025

To: Donna Joe, Vice President and Deputy General Counsel
Kathy Merritt, Executive Vice President and Chief Operating Officer

From: Kimberly A. Howell, Inspector General

Subject: Evaluation of KIYE-FM, Licensed to Nez Perce Tribe, Lapwai, Idaho, Compliance with Selected Communications Act and General Provisions
Transparency Requirements, Report No. ECR2508-2519

We have completed an unannounced evaluation of compliance with selected requirements of the 2025 Corporation for Public Broadcasting (CPB) Community Service Grant (CSG) awarded to KIYE-FM, licensed to Nez Perce Tribe, Lapwai, Idaho. Our specific objectives were to verify compliance with 11 requirements of the Communications Act of 1934, as amended (Act) for open and closed meetings and open financial records, as well as the 2025 Radio CSG General Provisions and Eligibility Criteria (General Provisions) for transparency as presented in Exhibit A. Background information on the station and CSG program can be found in Exhibit B.

Based on our review of the KIYE-FM website on March 18, 2025, and subsequent information provided by station management, we found the station was compliant with six of the nine applicable requirements reviewed. The station was not compliant with three requirements, and two requirements were not applicable.

Specifically, we found that KIYE-FM was not compliant with:

- posting its most recent audited financial statement on its website;
- posting its most recent Financial Summary Report (FSR); and
- providing advanced notice of open meetings of the station's Community Advisory Board (CAB)

In response to our Preliminary Observations dated April 29, 2025, the station took immediate action to post its FY 2022 audited financial statement and its FY 2023 and FY 2024 FSRs on its website.

In response to our draft report dated July 25, 2025, station management provided documentation indicating that they provided advance notice of a July 22, 2025 Community Advisory Board meeting on July 9, 2025, and posted their FY 2024 audited financial statement. The station's response to the draft report is presented in Exhibit D.

KIYE-FM is currently compliant with open financial records and advanced notice of CAB meeting requirements and based on the actions taken and corrective actions outlined above, we do not have any recommendations.

We initiated this evaluation to address station accountability as identified in our Annual Plan. We conducted our evaluation in accordance with the Council of the Inspectors General on Integrity and Efficiency *Quality Standards for Inspection and Evaluation*. Our scope and methodology are discussed in Exhibit C.

cc: Ruby Calvert, Chair, CPB Board of Directors
Elizabeth Sembler, Vice Chair, CPB Board of Directors,
U.S. Senate Committee on Homeland Security and Governmental Affairs
U.S. House of Representatives Committee on Oversight and Accountability
U.S. Senate Committee on Commerce, Science and Transportation
U.S. House of Representatives Energy and Commerce Committee
U.S. Senate Committee on Appropriations
U.S. Senate Labor-HHS-Education Appropriations Subcommittee
U.S. House of Representatives Committee on Appropriations
U.S. House of Representatives Labor-HHS-Education Appropriations Subcommittee

FINDINGS

COMMUNICATIONS ACT AND GENERAL PROVISIONS COMPLIANCE

Open Financial Records

Our review of the station's website on March 18, 2025, found that neither the most recent FY 2022 biennial audited financial statements¹(AFS) nor the FY 2023 Financial Summary Report (FSR) were posted on the website. The FY 2022 biennial audited financial statements were submitted to CPB on July 19, 2023. The FY 2023 FSR was submitted to CPB on April 10, 2024, and was approved on April 24, 2024.

The website did have a link to the FY 2022 audited financial statements as well as a link to the FY 2022 FSR. However, the link to the audited financial statements was a blank FSR page and not a link to the actual financial statements.

CPB requires grantees to make the most recent AFSs and FSRs available for public inspection on the station website.

C. Open Financial Records: The Act requires stations to make available to the public their annual financial and audit reports and related financial information they are required to provide to CPB (47 U.S.C. § 396(k)(5) and § 396(1)(3)(b)). CPB also requires that Grantee post the following documents on its station website:

1. its most recent audited financial statement, or unaudited financial statement if permitted; and
2. its most recent AFR or FSR (whichever is applicable).

CPB Radio CSG General Provisions 2025, Section 2. Communications Act Requirements.

The Act also provides:

Funds may not be distributed pursuant to this subsection to any public telecommunications entity that does not maintain for public examination copies of the annual financial and audit reports, or other information regarding finances, submitted to the Corporation pursuant to subsection (l)(3)(B).

The Communications Act (Act), 47 U.S.C. § 396 (k)(5).

After receiving our Preliminary Observations dated April 29, 2025, station management took immediate action and posted the most recent FY 2022 audited financial statements and FY 2023 FSR request, and also added the FY 2024 FSR, which we subsequently verified. After receiving our draft report dated July 25, 2025, the station posted their FY 2024 audited financial

¹ CPB approved submitting biennial audit reports.

statements. Station management said that the delays in posting were due to staff turnover. KIYE-FM is currently compliant with open financial records requirements and given CPB's Community Service Grant guidance issued to all CSG recipients on August 25, 2025, no further financial information reporting is required beyond FY 2024. As a result, we do not have any recommendations.

Advance Notice of Community Advisory Board (CAB) Meetings

The station did not fully comply with the Act and CPB open meeting requirements because it did not maintain documentation supporting its compliance with the seven-day advance notice for its CAB meetings.

While the station is not required to have a CAB, because it does, it is subject to open meeting requirements to provide 7-days advance notice of any CAB meetings. The station's website did not provide advance notice of any upcoming CAB meetings. The station's CPB Compliance Information website page did indicate that CAB meetings were held quarterly. However, there was no specific information on the date, time, or location of CAB meetings.

The Act requires permittees of public broadcasting stations to hold open meetings of its governing board, any committee or such governing body or any advisory body preceded by reasonable notice to the public. The Act, 47 U.S.C. §396 (k)(4), also requires that stations provide the public with reasonable advance notice of open meetings. Specifically:

Funds may not be distributed pursuant to this subsection to the Public Broadcasting Service or National Public Radio (or any successor organization), or to the licensee or permittee of any public broadcast station, unless the governing body of any such organization, any committee of such governing body, or any advisory body of any such organization, holds open meetings preceded by reasonable notice to the public.

Further, CPB requires that stations provide the public with reasonable advance notice and defines reasonable notice as seven days advance notice, as follows.

A. Open Meetings: Meetings of Grantee's governing body, its committees and CAB must be open to the public (47 U.S.C. § 396(k)(4)). In addition, CPB requires Grantee to give at least seven days advance notice of meetings, including the time and place, by:

1. posting notice on its station website;
2. broadcasting notice on-air between 6 a.m. and 11 p.m., as shown by the station's log;
3. placing notice in the "Legal Notices" section of a local newspaper in general circulation in the station's primary coverage area; or
4. giving notice through a recorded announcement accessible on the station's phone system.

CPB's Communications Act Compliance guidance, 1. Open Meetings, E. Notice of Open

Meetings (June 2021). CPB Radio CSG General Provisions 2024, Section 2.A. Open Meetings contains the same four options for advance notice of meetings.

In response to our draft report dated July 25, 2025, station management submitted documentation indicating that they provided advance notice of a July 22, 2025, CAB meeting on July 9, 2025. Earlier, in response to our Preliminary Observations, the station also indicated that scheduling the CAB meetings was challenging due to the disparate schedules of the CAB members. The station indicated that it planned to post notices of future CAB meetings on air, on the website, and in the tribe newsletter.

Given KIYE-FM actions to adequately post its most recent CAB meeting, it is currently compliant with advance notice meeting requirements. Because of the corrective actions discussed above, we do not have any recommendations.

Exhibit A

**Summary of KIYE-FM Website Review
as of March 18, 2025**

| Requirements | Met | Not Met |
|--|------------|----------------|
| 1) Seven-day advance notice of governing body meeting: | | |
| a) available on website | X | |
| b) available by other means | | |
| 2) Seven-day advance notice of board committee meetings: | | |
| a) available on website | X | |
| b) available by other means | | |
| 3) Seven-day advance notice of CAB meetings: | | X |
| a) available on website | | |
| b) available by other means | | |
| 4) If closed meetings were held, was documentation prepared explaining the basis for closing meeting in accordance with the Act: | N/A | |
| a) available on website | | |
| b) available at central office | | |
| 5) If closed meeting documentation was prepared, was it available within 10-days of the closed meeting | N/A | |
| 6) Most recent AFR or FSR available on website | | X |
| 7) Most recent audited financial statements on website | | X |
| 8) Senior/executive management information on website | X | |
| 9) Governing body members on website | X | |
| 10) CAB members on website | X | |
| 11) Grantee's annual report on local content and services included in the grantee's current 2024 SAS on its content and services that serve local needs; and analysis about the reach and impact of the local services in its community. | | |
| a) available on website | | |
| b) available at central office | X | |

BACKGROUND

KIYE-FM is licensed to the Nez Perce Tribe in Lapwai, Idaho and began broadcasting on August 1, 2011. As stated on the station's website, KIYE-FM is a non-commercial, educational radio station, focused on developing local public affairs, news, and educational features. Its music includes local and national Pow-wow, flute and other native artists, Blues/Jazz, Oldies, Motown, Classic Rock, grass Roots Gold Productions, and Native Voice 1.

CPB's Community Service Grant Program

The Communications Act of 1934 (Act) provides that specific percentages of the appropriated funds CPB receives annually from the United States Treasury must be allocated and distributed to licensees and permittees of public TV and radio stations. Each year CPB awards CSG grants to public TV and radio stations based in part on the amount of Non-Federal Financial Support (revenues) claimed by all stations on their Annual Financial Report (AFR) or Financial Summary Report (FSR) submitted to CPB. The CSG calculation process starts with separate amounts appropriated for the TV and radio CSG pools, adjusted by base grants and supplemental grants. The funds that remain are called Incentive Grant Pools; one is for TV and the other for radio.

In addition to the annual filing of the station's AFR or FSR for radio, the chief executive of the station and a licensee official annually certify to CPB the station's compliance with Act requirements and selected General Provisions requirements in the legal agreement awarding the station CSG funds. These certifications specifically address open and closed meetings; open financial records; CPB Employment Statistical Report; and donor information requirements under Section IV Communications Act Compliance of the agreement. Station officials responsible for closed meetings and the CPB Employment Statistical Report requirements are identified in the grant agreement. Additionally, the certification also addresses Website Postings Required under Section V. Selected General Provisions Requirements of the agreement.

SCOPE AND METHODOLOGY

We performed an evaluation of KIYE-FM's compliance with selected provisions of the Act and grant certification requirements. Our specific objectives were to verify compliance with selected Act requirements for open and closed meetings and open financial records, as well as 2025 Radio Community Service Grants General Provisions and Eligibility Criteria for Transparency. The scope of the evaluation included reviews of the information posted on the station's website as of March 18, 2025, as well as information provided in response to our Preliminary Observations issued on April 29, 2025.

We reviewed documents supporting the station's compliance with the Act requirements to provide advance notice of public meetings, notice of closed meeting reasons, and make financial information available to the public. We also reviewed the station's website and processes to determine its compliance with CPB's transparency requirements for eligibility. We informed station management of our evaluation on April 29, 2025, and we requested additional information to support the station's compliance, including, as applicable, transparency information maintained at its central office for documents that is required to be made available to the public at its central office if not posted on its website.

We also reviewed CPB's Integrated Station Information System (ISIS) to determine if the evaluated information made available to the public was the most recent information submitted to CPB. In addition, we verified with station management that board and management listings posted to its website were current.

We conducted our fieldwork from March 18 through June 24, 2025 and performed our evaluation in accordance with the Council of the Inspectors General on Integrity and Efficiency *Quality Standards for Inspection and Evaluation*.



September 2, 2025

Jay Poole
Corporation for Public Broadcasting
Office of Inspector General
Team Leader

Re: Responses to Unannounced transparency review of KIYE website

Dear Mr. Poole,

Sorry for the delay in responding. KIYE Station Staff did take immediate action to address the findings from the unannounced transparency review of KIYE-FM website.

Communications Act Noncompliance; 1-4

1. Posting its most recent audited financial statement on its website.

“The station took immediate action to post its most recent audited financial statement and financial summary report on its website and is now compliant with open financial records requirements.”

2. Posting its most recent financial summary report.

“The station took immediate action to post its most recent audited financial statement and financial summary report on its website and is now compliant with open financial records requirements.”

3. Providing advance notice of open meetings of the station’s Community Advisory Board; and.

The KIYE Community Advisory Board, or CAB, did hold the next meeting on Tuesday, July 22, 2025, at 4:30 pm.

July 9, 2025 - Notice on our website; The meeting will take place at the Vet's Conference Room in Lapwai. Community members are welcome to attend and share feedback on KIYE's programming and community service. For more information, KIYE Supervisor Rich Johnson is available at (208) 621-4732. The second attachment is attached to this email.

4. Making its Local Content and Service Report (LCSR) available to the public.

The hyperlink is on the kiye.org website, and it is available to anyone who views the website. This document is pictured in the attached document.

Please let me know if this addresses all your concerns or there are any additional questions.

Sincerely,



Melissa King
Manager of Dept of Technology Services