



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 KCIE-FM, Licensed to Jicarilla Apache Tribe, Dulce, New Mexico,
Compliance with Selected Communications Act and General Provisions Requirements,
Report No. ECR2510-2520

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 KCIE-FM, licensed to Jicarilla Apache Tribe, Dulce, New Mexico. Our specific objectives were to verify compliance with eleven requirements of the Communications Act of 1934, as amended (Act), for open and closed meetings and open financial records, as well as selected provisions of the FY 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 KCIE-FM's website on April 3, 2025, and the station's response to our preliminary observations, we found the station was compliant with five of the six applicable requirements. The remaining five requirements were not applicable.

Specifically, we found that KCIE-FM was not compliant with the Act requirement for seven-day advance notice of the governing body meetings that discussed station business. The website's open meeting notice did not specify the date, time, and location of upcoming meetings of the tribal council.

In response to our Preliminary Observations issued on June 4, 2025, the station took corrective action by posting the meeting date, time, and location on the station's website. KCIE-FM is currently compliant with this requirement and based on the station's actions and corrective actions outlined in the station's response to the draft report, we do not have any recommendations. The station's response to the draft report is presented in Exhibit D

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.

FINDING

Act Compliance - Advance Notice for Open Meetings

Our audit found that KCIE-FM was not fully compliant with the Act requirement for advance notice of open meetings of the Tribal Council discussing station business. Specifically, seven-day advance notice of public meetings of the governing board (Tribal Council) were not posted on the station's website. The website did post the Tribal Council's general meeting schedule, however there was no specific day of the week, time, or location listed for the meetings. The policy posted to the website was as follows:

Meeting Notice Policy:

The Tribal Council meets the first week of every month.

The policy statement did not address CPB's specific advance notice requirements for meetings discussing station business.

CPB's 2025 Radio Community Service Grants General Provisions and Eligibility Criteria, Section 2. A. requires the following:

Certain requirements of the Act are summarized below. This summary does not include additional provisions of the Act or other applicable laws and regulations. More detailed guidance may be found in the CSG Compliance Booklet.¹

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 meetings, including the time and place, by:

1. posting notice on the 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.

KCIE-FM had not posted advanced notice of the meeting time and place to its website as of the date of our review on April 3, 2025. After receiving our Preliminary Observations dated June 4, 2025, the station's General Manager acknowledged that they were not compliant and immediately posted the meeting information to the station's website, which we subsequently verified.

In response to the draft report, station officials acknowledged that KCIE-FM was not initially

¹ June 1, 2021 edition.

compliant with CPB's seven-day advance notice requirements to post the date, time, and location for meetings of the governing body discussing station business. Further, it stated that this omission was not intentional but rather due to its misunderstanding of the level of detail necessary to meet the requirements. KCIE-FM's response also committed to maintaining its full compliance with CPB requirements by:

- ensuring all future governing body meetings are posted at least seven days in advance with required details (date, time, and location);
- maintaining consistent websites updates to include detailed information on meetings, financial records, management information, and other requirements under the CPB's General Provisions; and
- reviewing CPB's Compliance Booklet and guidance to ensure its postings meet or exceed the required standards.

KCIE-FM is currently compliant with this requirement, and given the actions taken and corrective actions outlined above, we do not have any recommendations.

Exhibit A

**Summary of KCIE-FM Website Review
as of April 3, 2025**

Requirements	Met	Not Met
1) Seven-day advance notice of governing body meeting:		X
a) available on website		
b) available by other means		
2) Seven-day advance notice of board committee meetings:	N/A	
a) available on website		
b) available by other means		
3) Seven-day advance notice of CAB meetings:	N/A	
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 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	N/A	
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.		
i. on website		
ii. at central office	X	

BACKGROUND

As discussed in the station's website, the Jicarilla Apache Nation is located in north central New Mexico. The town of Dulce is the headquarters for the reservation and houses most of the Apache people. In the past the people who lived on the reservation had poor reception via television and radio stations. If they wanted to hear the news or entertainment they had to listen to stations that had weak signals in the area. The Nation then developed a new tribal program that would resolve this problem. The program was called the Jicarilla Communications program which soon had access to a local public television channel and several translators so that the local people could watch stations like NBC, CBS and Fox. Soon after came the planning stages for a local radio station.

According to the station's website, the Jicarilla Communications program then applied for a non-commercial radio station license with the Federal Communications Commission. They were granted a license for a 100-watt non-commercial radio station and found a federal program called the P.T.F.P., a program that offered matching grants for public radio stations. After countless hours in the planning stages, KCIE 90.5 FM went on the air for the very first time on December 3, 1990. The Jicarilla public radio station now offers a variety of educational programming, national and local news, sports and musical entertainment for the community in this remote little town of Dulce.

CPB's Community Service Grant Program

The 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. CPB distributes these funds through its CSG program. Grant award amounts are based in part on the amount of Non-Federal Financial Support (revenues) claimed by all stations on their Annual Financial Report (AFR) submitted to CPB.

In addition to the annual filing of a station's AFR for radio and/or television, 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, Community Advisory Board, 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. The certification also includes Website Postings Required under Section V. Selected General Provisions requirements of the agreement.

SCOPE AND METHODOLOGY

We performed an evaluation of KCIE-FM's compliance with selected provisions of the Act, grant certification, and CSG General Provisions 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 General Provisions for transparency. The scope of the evaluation included review of the information posted on the station's website as of April 3, 2025, as well as information provided in response to our Preliminary Observations issued on June 4, 2025.

We reviewed corporate policies, records, and documents supporting the station's compliance with the Act requirements to provide advance notice of public meetings, closed meeting disclosures, and make financial information available to the public. We reviewed the station's website and policies to determine its compliance with CPB's transparency requirements. 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.

Our fieldwork was conducted from April 3, 2025, through June 4, 2025, and our evaluation was performed in accordance with the Council of the Inspectors General on Integrity and Efficiency *Quality Standards for Inspection and Evaluation*.

Sept 8, 2025

Subject: Response to KCIE-FM Draft Evaluation Report, Report No. ECR2510-XXXX

Dear Mr. McGinnis,

Thank you for providing the draft evaluation report and for the opportunity to respond. We have reviewed the findings regarding KCIE-FM's compliance with the Communications Act and CPB General Provisions transparency requirements.

We acknowledge the finding that KCIE-FM was not initially compliant with the seven-day advance notice requirement for public meetings of the governing body. At the time of your review, our station's website posted only the Tribal Council's general meeting schedule, without the detailed information (specific date, time, and location) required by CPB. This omission was not intentional, but rather due to our misunderstanding of the level of detail necessary to meet the requirement.

Upon receiving your Preliminary Observations, KCIE-FM took immediate corrective action by posting the required detailed meeting information on our website. We are now fully compliant with the advance notice requirement, as subsequently verified.

Going forward, KCIE-FM is committed to maintaining full compliance with CPB requirements. Specifically, we will:

- Ensure all future governing body meetings are posted at least seven days in advance with the required details (date, time, and location).
- Maintain consistent website updates to include detailed information on meetings, financial records, management information, and other requirements under CPB's General Provisions.
- Regularly review CPB's Compliance Booklet and guidance to ensure our postings meet or exceed the required standards.

We appreciate your guidance and the opportunity to strengthen our transparency practices. Please let us know if you need additional information or clarification regarding our corrective actions.

Sincerely,



Mariah Elote
KCIE-GM