



NATIONAL SCIENCE FOUNDATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CLOSEOUT MEMORANDUM

Case Number: I02040012

Page 1 of 2

We received a telephone call from a former biology professor¹ who told us he had information about fraud in NSF's peer review system. When we asked for more specific information over the telephone, the professor was vague so we asked him to provide specific written information. We then began receiving large numbers of voluminous e-mails, which were copied to numerous recipients (from whom the professor refused all requests to stop receiving the emails). We also learned that the professor had established a website, which included "NSF" in its domain name and the NSF logo at the top of every page, on which he posted his views.²

In his emails and on his website, the professor (1) repeated and expanded upon his allegations of fraud, while also claiming that (2) NSF had asked him to submit a proposal to NSF to receive funding to investigate his fraud allegations, and (3) in coordination with him, we were conducting an investigation into his allegations. The last assertion was untrue, because the professor had not yet provided any credible information to us that would warrant opening an investigation. We carefully reviewed all of the information provided by the professor in his emails and on his website and concluded he had provided no credible evidence to support any of his allegations or claims.

Although the professor's allegations were without substance, we were troubled by the fact that the professor used the NSF logo at the top of every one of his web pages, with a graphic image copied from NSF's website, in a manner clearly intended to convey the impression that his site was affiliated with NSF. NSF provides logo graphics on its website for public use, "for use by members of the public who wish to provide a link to an NSF website or to acknowledge NSF assistance," but the professor's use of the logo was not consistent with this permission. The professor also used the logos of the Department of Justice (DOJ) and Department of the Treasury (Treasury), and stated repeatedly on his website that he represented Treasury, in that his investigation—which he was being pursuing at NSF's request in coordination with the NSF OIG as well as DOJ—was being carried out pursuant to a contract with Treasury. We wrote to the professor, pointing out to him that there are federal statutes prohibiting the use of government seals/logos to misrepresent government affiliation. We emphasized to the professor that we were not trying to attenuate his right under the First Amendment of the U.S. Constitution to express his views about NSF, our office, or any other topic. And although he was prohibited from using NSF's seal/logo to falsely present himself as affiliated with NSF, he was otherwise free to use the seal/logo if he made it clear that he was not affiliated with NSF in any way and otherwise complied with applicable law.

¹ [redacted], formerly a professor at [redacted].
² [redacted].com.

	Agent	Attorney	Supervisor	AIGI
Sign / date				



NATIONAL SCIENCE FOUNDATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CLOSEOUT MEMORANDUM

Case Number: I02040012

Page 2 of 2

When the professor made no substantive change to the misrepresentations on his website, we referred the matter to the DOJ Criminal Division.³ DOJ contacted the company that hosted the professor's website⁴ and inquired whether the misrepresentations on that site were compliant with the company's Content Policy. After reviewing the professor's website and discussing the matter with DOJ, the professor, and us, the company shut down the professor's website.

Accordingly, this case is closed.

³ [REDACTED], Esq., Fraud Section, Criminal Division.

⁴ [REDACTED].com.