



NATIONAL SCIENCE FOUNDATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CLOSEOUT MEMORANDUM

Case Number: I04020003

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We received an email providing the URL for an eBay auction for an NSF OIG Special Agent badge. The photograph on the auction site confirmed that the badge was identical to ours, except it did not bear a badge number. Every badge we have is numbered. 18 U.S.C. § 701 provides:

Whoever . . . sells, or possesses any badge . . . of the design prescribed by the head of any department or agency of the United States for use by any officer or employee thereof, . . . except as authorized under regulations made pursuant to law, shall be fined under this title or imprisoned not more than six months, or both

The badge was offered for sale by eBay user "[REDACTED]." We contacted eBay, which informed us that [REDACTED] is [REDACTED] (the subject), and provided the subject's address and telephone number. When we called the subject, he expressed surprise that the badge was genuine. He said he had purchased the badge in a batch of badges, and he did not recall specifically when or how he obtained it. He immediately offered to return the badge to us, and he did so.

From visual examination of the badge, it did not appear that it ever had a number. We contacted the manufacturer, which examined the badge and concluded that it was a blank, of the type that would have been provided to our office for approval before undertaking the manufacture of the numbered badges. We contacted the individuals from our office who were most likely to have been involved in the procurement of the badges in 1990, and none had any recollection of a badge blank or any idea what might have happened to it.

There appears to be no practical way to determine how the badge came into the subject's possession. Since the subject seemed genuinely surprised to learn that the badge was a Federal law enforcement badge, and immediately returned it to us, there is no basis for pursuing criminal action against him. Accordingly, this case is closed.