

EDVA WHISTLEBLOWER NON-PROSECUTION PILOT PROGRAM

Intake Form

Effective September 15, 2024

Individuals (including through counsel¹) seeking to be considered for the EDVA Whistleblower Non-Prosecution Pilot Program may use this form to begin the process of disclosing criminal misconduct.

Please note: This EDVA Whistleblower Non-Prosecution Pilot Program and Intake Form are for individuals who are disclosing misconduct in which they had some involvement.

Identifying Information

Please provide the following information, where applicable. This information will assist in making an initial determination of eligibility. *Fields with * are required.*

***Name of Individual:**

Name of Counsel (if applicable):

***Phone Number of Individual (or counsel, if applicable):**

Name of Entity (if applicable):

Name of Agency, Official, or Campaign (if applicable):

***Brief Description of the Misconduct:**

Conditions of Eligibility:

Having reviewed the below eight qualifying conditions contained in the Policy, the Individual currently has a reasonable basis to answer *yes* to each of the following:

1. The misconduct has not previously been made public and is not already known to EDVA or to any component of the Department of Justice (“DOJ”);
2. The individual discloses the criminal conduct voluntarily to EDVA prior to imminent threat of disclosure or government investigation and not: in response to a government inquiry by federal law enforcement or regulatory agency on the subject matter of disclosure; or pursuant to an obligation to report misconduct to EDVA or any federal law enforcement, regulatory agency, or component of the DOJ.

¹ Individuals reporting misconduct through this pilot program are not required to do so through counsel.

Conditions of Eligibility (continued):

3. The individual is able to provide substantial assistance in the investigation and prosecution of one or more equally or more culpable persons, and is prepared to cooperate fully with EDVA in its investigation and prosecution of the disclosed conduct and the recovery of any related criminal proceeds;
4. The individual truthfully and completely discloses all criminal conduct in which the individual has participated and of which the individual is aware;
5. The individual is not a(n): (a) elected federal or foreign official; (b) official or agent of a federal investigative or federal law enforcement agency; or (c) the chief executive officer or equivalent or chief financial officer or equivalent or chief compliance officer or equivalent of a public or private company, or, regardless of title, a person who exercises primary control over the operations of the organization where misconduct occurred;
6. The individual's role in the alleged misconduct did not involve: leading or originating the illegal activity; violence or the threat of violence; any federal or state sex offense involving fraud, force, coercion, or a minor; disclosing classified or other sensitive national security information²; or any federal or state offense involving terrorism.
7. The individual has not been previously convicted of any felony involving: violence or the threat of violence; a sex offense involving fraud, force, coercion, or a minor; terrorism; or fraud or dishonesty; and
8. The individual must agree to forfeit or disgorge any proceeds from their own criminal wrongdoing and pay restitution to victims consistent with the individual's role in the offense.

² In the event that the information the individual seeks to present to EDVA is classified or national security information, the individual must first alert EDVA to the sensitive nature of this information in advance of making any further disclosures.