If you have seen a bank or other financial institution mishandle suspicious activity, you may be wondering whether what you know is "original information" for an anti-money-laundering whistleblower award. The short answer: it may be, even if you did not uncover the issue alone or have a perfect file of proof. What matters is whether you can provide useful, non-public facts or analysis about a possible legal violation—and whether you meet the program's other requirements.

The Financial Crimes Enforcement Network (FinCEN), an agency within the U.S. Department of the Treasury, administers the federal Bank Secrecy Act (BSA) whistleblower program. The program can provide awards to eligible people whose information contributes to qualifying enforcement actions. But an award is not automatic, and filing a report does not guarantee that an agency will investigate or take action.

This guide explains the original information definition in plain English, the BSA duties that may be involved, and practical steps for people considering a report. It is general information, not legal advice about your particular situation.

What does "original information" mean?

In general, original information is information that comes from your independent knowledge or independent analysis and that you provide to the government through the required process. It is not simply a rumor, a conclusion that "everyone knows," or a copy of material already available to the public.

"Original" does not necessarily mean that no one else knows the facts. A colleague, auditor, or regulator may have seen part of the same problem. You may still have valuable information if you can provide details, records, or analysis that the government did not already have from another source. The specific rules and how they apply depend on the facts and the award program's requirements.

For example, you might have learned through your job that a bank repeatedly processed transactions for a customer whose activity triggered internal alerts, but did not conduct required follow-up. You might also be able to explain how alert records, transaction data, and written procedures fit together. That firsthand knowledge or analysis may be more useful than a broad claim that the bank "ignored money laundering."



Common sources of potentially original information

- **Firsthand observations:** What you personally saw, did, reviewed, or were told in the course of your work.
- **Non-public evidence:** Lawfully accessible records or data, such as transaction patterns, case notes, escalation records, or internal communications.
- **Independent analysis:** Your explanation of how facts connect to a possible BSA duty or reveal a recurring weakness.
- **Specific context:** Names or roles of relevant decision-makers, time periods, business lines, systems, and the steps the organization took—or did not take.

Information may be less useful if it consists only of public news reports, speculation, or a legal conclusion without supporting facts. Public sources can still help provide context, but a report is stronger when it adds something concrete that is not already in the public record.

Which BSA duties might be involved?

The BSA and its implementing rules require covered financial institutions to maintain controls designed to help detect and report certain financial activity. A possible violation is not the same thing as a bad outcome, a mistake, or a disappointing customer-service experience. The relevant question is whether the facts may show a failure to meet a legal or regulatory duty.

BSA area What the duty generally involves Facts that may matter SARs Filing Suspicious Activity Reports when applicable reporting requirements are met. How alerts were investigated, whether suspicious activity was escalated, and whether reporting decisions followed required procedures. CTRs Reporting qualifying cash transactions as required, including applicable aggregation rules. Cash activity, transaction records, aggregation practices, and any process used to avoid or miss reporting. CDD Customer due diligence, including understanding customer relationships and, where required, beneficial ownership and ongoing monitoring. Customer risk information, account purpose, ownership details, and whether monitoring matched the assessed risk. AML program effectiveness Maintaining an appropriately designed and functioning anti-money-laundering program, including relevant controls, personnel, training, and independent testing. Repeated control failures, ignored testing findings, inadequate staffing, or procedures that did not work in practice.

These descriptions are broad. The exact requirement depends on the institution, the activity, applicable regulations, and the facts. A weak control or an isolated error does not automatically establish a reportable violation. Evidence of repeated failures, management knowledge, ineffective remediation, or deliberate efforts to evade a requirement may be relevant, but an agency makes its own assessment.

What may qualify as a reportable BSA/AML violation?

A potentially reportable matter generally involves specific facts suggesting that a covered person or institution violated a BSA requirement within the scope of the program. Examples might include a pattern of failing to file required reports, controls that repeatedly miss known high-risk activity, or knowingly disregarding significant AML-program deficiencies. These are examples, not findings that any particular conduct violates the law.

Try to connect the conduct to a duty. Instead of writing “the bank committed fraud,” describe what happened: which transactions or alerts you observed, what policy or obligation you believe applied, who was

informed, and what response followed. “Fraud” has a specific legal meaning in many contexts; using it without facts tied to a legal duty can obscure the issue.

Useful information often answers practical questions:

- What happened, and during what period?
- Which business unit, product, customer relationship, or process was involved?
- What records support your account, and how did you lawfully access them?
- Was the concern raised internally, and what happened afterward?
- Did the issue appear isolated, or did it recur across customers, accounts, or time?
- What do you know firsthand, and what are you inferring?

Whistleblower eligibility basics

Providing useful original information is only one part of whistleblower eligibility. Under the federal BSA whistleblower framework, awards may be available to eligible individuals who voluntarily provide original information that contributes to a successful qualifying enforcement action resulting in monetary sanctions above the statutory threshold. Award amounts, eligibility limits, exclusions, and the treatment of related actions are governed by law and agency procedures.

Do not assume that a report will qualify simply because it is detailed or because the agency receives it. The government decides whether information is original, whether an action meets the requirements, and whether an award is appropriate. Some people may be excluded or face special rules based on their role or how they obtained or reported the information. A whistleblower attorney can assess those issues before you file.

Timing matters. If you are considering a report, get advice promptly rather than waiting to see whether the institution fixes the issue. Internal reporting may be relevant, but do not assume that using internal compliance channels automatically preserves eligibility or that it is always required before contacting the government. Ask counsel how internal steps could affect your situation and the timing of a submission.

How to prepare without creating new risks

Start by writing down a timeline the same day something happens—or as soon as you can accurately reconstruct it. Record dates, meetings, relevant transactions or alerts, who was present, what you personally observed, and what follow-up occurred. Separate firsthand facts from what another person told you and from your own conclusions. A contemporaneous timeline can help you stay accurate when memories fade.

Preserve information you are authorized to access, but do not take, copy, forward, or remove documents in violation of law or your workplace’s rules. Do not email yourself work documents. Do not access accounts, systems, or files outside your authorization. In particular, SARs and information revealing whether a SAR was filed are subject to strict confidentiality rules. Do not disclose a SAR or its existence to coworkers, customers, or outside parties; ask an attorney how to handle any material that may be protected.



If you have supporting material, make a careful inventory rather than trying to build a private archive. Note what each item is, where it is maintained, and how you encountered it. Counsel can help assess whether and how to provide it safely.

Using the FinCEN whistleblower submission process

FinCEN provides a whistleblower submission process, including a FinCEN whistleblower submission form. Follow the agency's current instructions and provide a clear account of the conduct, the people or business areas involved, the relevant time period, and the basis for your knowledge. Be truthful and precise; do not guess at facts you cannot verify. If you are unsure, say so.

The submission process is not a promise of confidentiality in every circumstance, a guarantee of anonymity, or a timetable for an investigation. Government reviews can take time, and agencies may not be able to share updates. Avoid publicizing your allegations or discussing confidential information while you are considering a report. An attorney can explain the available procedures and the limits of confidentiality and anonymity.

Working with a whistleblower attorney and contingency fees

A lawyer experienced in whistleblower matters can help evaluate original information, identify possible BSA duties, distinguish evidence from inference, and consider eligibility issues. Counsel may also help you prepare a focused submission, protect confidential information, and communicate with the agency. USAttorneys.com may be one place to look for attorney information, but check each lawyer's experience, licensing, and fit for your matter independently.

Some whistleblower attorneys work on a contingency-fee basis. This generally means the attorney's fee depends on a recovery or award, rather https://usattorneys.com/how-to-file-a-bsa-whistleblower-lawsuit/ than being billed as ordinary hourly fees, but the exact arrangement varies. Ask for the written fee agreement and clarify:

- What percentage or fee formula applies, and when it is calculated.
- Who pays case expenses and what happens if there is no award.

- Whether the agreement covers agency submissions, related proceedings, or appeals.
- What confidentiality and communication practices the lawyer will use.

A contingency agreement does not mean an award is likely or guaranteed. It is a payment arrangement, not a prediction of the government's decision.

The practical test

Ask yourself: Can I explain a specific possible BSA violation using facts I know firsthand or analysis I independently developed? Can I identify lawful, non-public evidence or explain how the evidence can be located? Can I distinguish what I observed from what I suspect? If so, you may have information worth discussing with a whistleblower attorney.

You do not need to solve the entire case before seeking advice. But you should be careful, accurate, and specific. A clear timeline, a grounded connection to a legal duty, and responsible handling of records are better starting points than broad accusations or unsupported claims that "everyone knows."