Short answer: An internal report may matter, but an internal report by itself is not a safe substitute for submitting information through the federal whistleblower process. Under the Bank Secrecy Act (BSA) whistleblower framework, a person who first reports internally may be able to preserve the date of that report for award purposes by also providing the information to the U.S. Department of the Treasury within the applicable time limit—generally 90 days. The details matter, so do not assume that telling a manager, compliance officer, or hotline is enough.



The Financial Crimes Enforcement Network (FinCEN), a bureau of the U.S. Department of the Treasury, administers the BSA whistleblower program. This explainer covers the award eligibility basics, the difference between internal reports and reports to federal agencies, and why legal advice can help before you submit information. It is general information, not a determination of whether any specific person qualifies.

The short answer: internal reporting is not the same as a government submission

Many organizations encourage employees to raise concerns through internal compliance channels. Those channels can create a record that a concern was raised, and they may prompt a company to investigate or correct a problem. But an employer's hotline or compliance department is not FinCEN or another federal agency.

The BSA whistleblower statute includes a process for certain people who report concerns internally and then provide the information to Treasury within 90 days. When the requirements are met, the date of the internal report may be treated as the date the information was provided to the government for purposes of the program. That is a specific rule, not a general promise that every internal complaint will count. The report must meet applicable requirements, and the later government submission must be made correctly and on time.



If you are considering an internal report, record the date and keep a careful, lawful account of what you reported. You can also ask a whistleblower attorney how to submit the information to FinCEN and whether the internal-report timing rule may apply. Do not wait until the 90-day period is nearly over to get advice.

What kinds of BSA duties may be involved?

The BSA requires covered financial institutions and other regulated businesses to meet certain recordkeeping, reporting, and compliance obligations. A concern may involve one duty or a pattern of failures. The existence of a problem does not, by itself, establish a reportable violation or guarantee an award.

BSA area Plain-English description Possible concern Suspicious Activity Reports (SARs) Reports that covered institutions must file when applicable legal and regulatory criteria are met. A possible failure to identify, escalate, or report suspicious activity, or a pattern of knowingly inadequate SAR handling. Currency Transaction Reports (CTRs) Reports generally required for qualifying currency transactions over the applicable threshold, subject to governing rules and exceptions. Possible structuring, improper aggregation, or a failure to file required reports. Customer Due Diligence (CDD) Processes for understanding customers and, where required, identifying beneficial owners and assessing risk. Possible gaps in required customer information, risk assessment, or ongoing monitoring. AML program effectiveness A risk-based anti-money laundering program with required controls, personnel, training, and independent testing, as applicable. Evidence that controls were materially deficient, ignored, or undermined—not simply that a policy could be improved.

These examples are starting points, not legal conclusions. SAR-related concerns also require special care: SARs and information that would reveal their existence are subject to strict confidentiality rules. Do not disclose a SAR or its contents to unauthorized people. An attorney can help you describe the underlying conduct without improperly revealing protected information.

What qualifies as a reportable BSA/AML violation?

“Reportable” does not mean “something at work that seems wrong.” A whistleblower submission should connect concrete facts to a https://usattorneys.com/how-to-file-a-bsa-whistleblower-lawsuit/ possible violation within the scope of the BSA program. Depending on the facts and applicable law, that may include

a covered person's willful violation of BSA requirements, or conduct such as aiding, abetting, or conspiring in a violation.

A missed deadline, a disputed internal decision, or an imperfect procedure does not automatically amount to a legally actionable violation. The significance may depend on what the institution was required to do, what its employees knew, whether the conduct was repeated or concealed, and how the institution responded after concerns were raised. An ineffective AML program can be relevant, but the label "ineffective" is not a substitute for evidence and legal analysis.

Be precise. Instead of writing "everyone knows the bank ignored money laundering," identify who did what, when it happened, which process was involved, and what records or witnesses support your understanding. "Everyone knows" is not evidence. A specific timeline, transaction pattern, communication, or control failure is more useful than a broad accusation.

Original information and award eligibility basics

The whistleblower program is not a general reward for reporting a concern. A person generally must provide qualifying **original information** voluntarily and through the process set by law and regulation. Original information can include information based on independent knowledge or independent analysis that is not already known to the government in the relevant way. The rules contain details and exceptions, so it is wise to have counsel assess them before you submit.

Other eligibility questions can include whether the information is timely, specific, and useful; whether it is based on public allegations or an existing government inquiry; and whether the person played a role in the underlying misconduct. The program has limitations and exclusions. A person's job title alone does not settle eligibility, and neither does the fact that the person made an internal complaint.

Potential awards are tied to qualifying enforcement actions and monetary sanctions, subject to statutory requirements and the program's rules. An award is not automatic, and filing a submission does not guarantee that an agency will open an investigation, bring an enforcement action, collect sanctions, or pay an award. The process can take time, and the outcome depends on facts and agency decisions outside the whistleblower's control.

How to think about internal reports and government reports

Use this distinction as a practical guide:

- **Internal report:** You raise the concern through your employer's hotline, manager, legal department, or internal compliance channels. This may be useful and may be relevant to the 90-day rule, but it is not itself a submission to the federal government.
- **Government submission:** You provide information through the applicable federal process, such as the FinCEN whistleblower submission form. A submission should be accurate, sufficiently detailed, and made in the manner required by current instructions.
- **Both:** If you report internally first, promptly ask counsel whether and how to submit to Treasury within 90 days to preserve any applicable filing date. Do not assume an internal investigation pauses or extends a deadline.

There may be reasons to report internally, report externally, or do both. Your decision can depend on urgency, risk of evidence being lost, confidentiality obligations, the possibility of retaliation, and the

whistleblower rules that apply to your situation. An attorney can help you evaluate those factors without making promises about how quickly an investigation will move.

Preparing a clear, responsible submission

Start with a factual account rather than a legal conclusion. Write down a timeline the same day something happens—or as soon as you can—while your memory is fresh. Record dates, people involved, what you personally observed, what you learned from others, and how you know it. Separate firsthand knowledge from assumptions or information you cannot independently verify.

Preserve relevant information only in lawful ways. Do not take documents you are not authorized to access, bypass security controls, or forward confidential work files to a personal account. Do not email yourself work documents. Ask an attorney how to handle records, especially where customer data, SAR confidentiality, privacy rules, or company policies may apply.

Before filing, consider organizing your notes around these questions:

1. What specific conduct may have violated a BSA requirement?
2. When and where did it happen, and who was involved?
3. What did you observe directly, and what did you learn from someone else?
4. What records, systems, or witnesses might help verify the facts?
5. Did you report internally? If so, when, to whom, and what did you say?
6. Has any regulator or law enforcement agency contacted you or your employer about the issue?

Working with a whistleblower attorney

A lawyer experienced with whistleblower matters can help assess eligibility, deadlines, confidentiality concerns, and how to present original information. Counsel can also help distinguish a possible BSA violation from a policy disagreement, identify information that should not be disclosed, and explain potential retaliation protections and their limits. An attorney cannot guarantee that FinCEN will investigate or that you will receive an award.

Some whistleblower attorneys work on a contingency-fee basis, meaning fees are generally tied to a recovery or award under an agreement. Terms vary. Ask in writing how fees are calculated, whether expenses are separate, what happens if there is no award, and who pays costs. Read the engagement agreement carefully before signing.

USAttorneys.com may be one place to look for lawyer listings, but a directory listing is not an endorsement or proof that a lawyer handles BSA whistleblower cases. Confirm the attorney's experience, licensing, fee terms, and familiarity with FinCEN's process directly.

Bottom line

You may not have to make your very first report directly to the government: the BSA framework addresses certain internal reports followed by a Treasury submission within 90 days. But internal reports included in that process are not automatically enough on their own. To protect your options, document what happened, preserve information lawfully, and get advice promptly about a direct submission through the FinCEN whistleblower process. Focus on verifiable facts, not labels—and remember that award eligibility is fact-specific, while an award itself is never guaranteed.