If you have information about possible money laundering or sanctions violations, choosing a lawyer is not just a matter of finding someone who handles "whistleblower cases." You need counsel who understands the relevant laws, knows how to present evidence to the government, and can explain the risks of making a report—including the limits of anonymity and the possibility that no award will be paid.

This guide explains the federal anti-money-laundering whistleblower program and offers practical questions to ask before hiring an attorney. It is general information, not legal advice. Do not send confidential bank records, customer information, or a Suspicious Activity Report (SAR) to a lawyer or anyone else through an ordinary email or online form until you have discussed a secure way to handle it.

What is the AML/BSA whistleblower program?

The federal program allows eligible people to provide information about certain violations of the Bank Secrecy Act (BSA) and related laws to the U.S. Department of the Treasury. The Financial Crimes Enforcement Network (FinCEN), a Treasury bureau, administers the program. In qualifying cases, a whistleblower may be eligible for an award if the government takes action and collects monetary sanctions.

The program's statutory history spans several laws. The Anti-Money Laundering Act of 2020 established a BSA whistleblower framework as part of the National Defense Authorization Act for Fiscal Year 2021, enacted on January 1, 2021. Congress later expanded and revised the program through the AML Whistleblower Improvement Act, included in the Fiscal Year 2023 National Defense Authorization Act. That law was signed on December 23, 2022.

The legal framework is technical and can change through legislation, regulations, and agency guidance. A lawyer should verify the current requirements using official sources, including the FinCEN website, rather than relying on a short online summary.

What kinds of conduct may qualify?

The program concerns specified violations, not every compliance problem or workplace dispute. Potentially relevant conduct may involve:



- **SAR obligations:** A financial institution's failure to file required reports, or conduct involving the concealment or misuse of SAR information. A SAR itself is a report, not a violation. Its existence does not, by itself, prove wrongdoing.
- **Structuring:** Breaking transactions into smaller amounts to evade reporting or recordkeeping requirements. A transaction pattern may have innocent explanations, so context matters.
- **Customer due diligence (CDD):** Failures involving required customer identification, beneficial-ownership information, or ongoing monitoring, depending on the applicable rule and facts.
- **Records and reporting:** Possible failures to maintain required records, comply with reporting rules, or provide information as required by law.
- **Sanctions:** Certain sanctions violations may fall within the expanded statutory framework. The precise law, the conduct, and the connection to the program must be assessed; not every sanctions concern automatically qualifies.

These examples describe areas an attorney may examine, not conclusions about whether a violation occurred. A lawyer should be able to identify the potentially applicable statute or rule and explain why the facts may fit it.

Who may be eligible, and what does "original information" mean?

Eligibility depends on the person, the information, how it was obtained, and what the government already knows. "Original information" generally means information derived from the person's independent knowledge or independent analysis that is not already known to the government, subject to statutory rules and exceptions. Information drawn solely from public sources may not be enough unless the whistleblower's independent analysis adds meaningful insight.

For example, an employee might identify a pattern of transactions that appears to evade reporting rules and explain how internal records connect those transactions to a particular process. Simply forwarding a news article or repeating a rumor may provide less value. Even detailed information does not guarantee that the government will open an investigation or that an award will result.

Eligibility can also be affected by the person's role in the conduct, how the information was obtained, and whether the person reported voluntarily. There may be special limits or exceptions for people involved in wrongdoing, certain compliance or audit roles, and information protected by legal privileges. Do not assume that being an employee—or having signed a confidentiality agreement—automatically makes you eligible or ineligible. Ask an attorney to analyze your circumstances before taking action.

Questions to ask before hiring an attorney

1. What is your experience with FinCEN and AML whistleblower matters?

Ask for a concrete description of the lawyer's experience with FinCEN, BSA investigations, AML enforcement, or whistleblower submissions. If the attorney has not handled a FinCEN whistleblower matter, ask about closely related work and who would lead your case. A confident general claim is less useful than a clear explanation of the process, legal issues, and limits of the lawyer's experience.

2. How would you assess whether my information is "original" and eligible?

Ask how the lawyer would determine whether the information is independent, specific, and potentially new to the government. A competent assessment should consider what you know firsthand, what documents support it, what has already been reported publicly, and whether your role creates any eligibility concerns.

3. What is your process for protecting my identity?

Ask the attorney to explain the anonymity process from initial consultation through any government review. A whistleblower may be able to submit information anonymously through counsel, but anonymity is not absolute. Identity may need to be verified to receive an award, and facts or documents can sometimes reveal who supplied them. Ask who will know your identity, how it will be stored, and when it might have to be disclosed.



4. How do you handle SARs and other sensitive records?

Ask how the attorney will evaluate information that may be subject to confidentiality restrictions. BSA rules restrict the disclosure of a SAR and information that would reveal its existence. Do not copy, forward, download, or remove SARs or customer records without legal advice. Ask whether the lawyer can assess your concerns without receiving a SAR itself, and what secure method should be used if documents are needed.

5. What will you do before contacting FinCEN or another agency?

Ask whether the lawyer will map the facts to the relevant laws, organize a timeline, identify supporting evidence, and consider whether another agency may also have jurisdiction. The attorney should explain what a submission can and cannot accomplish. A whistleblower report is not the same as a guaranteed investigation, enforcement action, or personal recovery.

6. How are fees handled? Is there a contingency fee?

Ask for the fee agreement in writing and have the attorney explain it in plain language. Under a contingency fee, the lawyer's fee is generally tied to a recovery or award, but the percentage, expenses, and circumstances in which costs are owed can vary. Ask:

- What percentage applies, and does it change at different stages?
- Who pays filing, expert, or document-handling expenses if there is no award?
- Are expenses deducted before or after the fee is calculated?
- Could another fee apply if a related employment or retaliation matter arises?

Do not rely on a verbal summary. Read the agreement and ask about any term you do not understand.

7. What should I expect about timing and communication?

Government reviews can take a long time, and the agency may not provide **openclassactions.com** frequent updates. Ask how the firm will communicate, who your point of contact will be, and what events could change the strategy. Be cautious if a lawyer promises a quick decision, a specific award, or a particular enforcement outcome.

8. What are the risks of reporting—and of waiting?

Ask about possible workplace consequences, confidentiality limits, document-preservation duties, and any deadlines that may apply to related legal claims. If you fear retaliation, ask whether the lawyer handles employment protections or can coordinate with separate counsel. Do not resign, confront colleagues, or alter records without getting advice tailored to your situation.

How to compare attorneys

Look for Ask for Be cautious if Relevant FinCEN or AML experience Specific examples of related work and who will handle your matter The lawyer relies only on broad claims about "whistleblower cases" A careful eligibility review An explanation of original information, exclusions, and uncertainties You are told that eligibility or an award is guaranteed A credible anonymity process When identity may be protected, verified, or disclosed Anyone promises complete secrecy in every circumstance Clear fee terms A written contingency-fee agreement and expense explanation Fees or costs are vague or only discussed verbally

What to do next: a practical checklist

1. **Write a private chronology.** Note dates, events, people involved, and what you personally observed. Separate firsthand knowledge from assumptions or secondhand information.
2. **Preserve information lawfully.** Do not alter, destroy, take, or send records without advice. Do not access systems or files you are not authorized to use.
3. **Keep sensitive matters off work devices.** Use a personal device and account to contact independent counsel. Avoid using employer networks or equipment for sensitive communications.
4. **Do not circulate SARs.** Do not forward a SAR, tell others that one exists, or include sensitive customer information in an ordinary web inquiry. Ask counsel how to discuss the issue safely.
5. **Interview more than one lawyer if practical.** Compare experience, the anonymity process, fee terms, and how clearly each attorney explains uncertainty.
6. **Check official information.** Review FinCEN's whistleblower resources at fincen.gov, then ask counsel how the current rules apply to your facts.

The bottom line

Choosing an AML whistleblower attorney means finding someone who can assess eligibility, explain the anonymity process, handle sensitive information carefully, and put the contingency fee and expenses in writing. The strongest lawyer is not the one who promises the largest award. It is the one who asks precise questions, distinguishes evidence from suspicion, and gives you a realistic explanation of your options and risks.