Short answer: generally, not if you want to remain anonymous under the federal Anti-Money Laundering (AML) whistleblower program. The law permits a whistleblower to submit information anonymously when represented by an attorney. The attorney submits the information on the whistleblower's behalf and serves as the contact point. If you submit information yourself without a lawyer, you should not assume that you can keep your identity hidden from the government or qualify for an award.

You can find program information and filing instructions on the Financial Crimes Enforcement Network (FinCEN) website. Before sending anything, it helps to understand what the program covers, what counts as useful information, and the limits of anonymity. This article provides general information, not legal advice.

What is the AML/BSA whistleblower program?

The Bank Secrecy Act (BSA) is the main U.S. law requiring financial institutions and certain other businesses to keep records and help detect and report money laundering and other financial crime. Its requirements include maintaining anti-money-laundering controls, filing certain reports, and keeping specified records. The AML whistleblower program gives eligible people a way to provide information about certain violations to the U.S. Treasury Department, including through FinCEN.

In qualifying cases, a whistleblower may be eligible for a monetary award if their information leads to a successful enforcement action and other legal conditions are met. An award is not guaranteed just because you submit a tip, the government investigates, or a company pays a penalty. The decision depends on the facts, the outcome, and the program's rules.

The program is distinct from a financial institution's internal reporting process. For example, reporting a concern to your employer's compliance department may be useful, but it is not the same as filing with FinCEN. You should also be careful not to alert anyone who may be involved in the conduct or interfere with an investigation.

Legal origin and timeline

Congress created the current BSA whistleblower provisions through the Anti-Money Laundering Act of 2020. The provisions were later expanded and revised by the National Defense Authorization Act (NDAA) for Fiscal Year 2023, signed on December 23, 2022. Exactly.. The changes strengthened the award framework and provided for anonymous submissions through an attorney.

The statutory change matters because it clarified that a person may provide information anonymously if represented by counsel. It did not create a general guarantee that anyone can send an anonymous report directly to FinCEN and later collect an award while remaining unidentified throughout the process. Program details and filing procedures can change, so check FinCEN's current instructions before submitting.

Can I make an anonymous FinCEN filing without an attorney?

There are two different questions: whether you can send information without putting your name on it, and whether you can use the program's protected anonymous process while preserving the possibility of an award.

Filing approach What to understand Submit anonymously on your own Do not assume this qualifies as an anonymous submission under the whistleblower statute or preserves award eligibility. FinCEN may be unable to follow up, verify your information, or evaluate an award claim. Submit anonymously through an attorney The attorney can submit on your behalf and provide a channel for communications. Your identity may still need to be

disclosed to the government in circumstances set by law or program rules. Submit with your identity You provide contact information directly. This may make follow-up easier, but it means you are not submitting anonymously.

So, if your priority is **anonymity limits** and potential award eligibility, the safer assumption is that you need an attorney to use the statutory anonymous process. A lawyer can explain the current filing method, what identifying details are required, and whether your circumstances fit the program. You are not necessarily required to hire a lawyer to report a concern in every possible way, but filing without counsel is different from filing anonymously through counsel.



What contact information is required?

Anonymous does not mean unreachable. A report needs a workable way for the government to ask follow-up questions. In an attorney-assisted filing, the attorney's contact information generally provides that channel. FinCEN may also require information about the whistleblower through the attorney, or may need to verify the person's identity at a later stage, such as when considering an award claim. Review the current FinCEN forms and instructions rather than relying on an old form or a third-party description.

Do not put confidential identifying details into a tip simply to make it seem more complete. Instead, ask counsel how to provide relevant facts while limiting unnecessary disclosure. Also remember that anonymity from the public is not the same as anonymity from the government, your employer, or people who may infer your identity from the facts you describe. A detailed account of a small team's work, a unique transaction, or a recent meeting may point to you even if your name is omitted.

Who may be eligible, and what is "original information"?

Eligibility depends on the statute, the nature of the information, and the circumstances of the person providing it. Employees, former employees, contractors, and people outside the organization may have information worth reporting, but not every tip qualifies for a whistleblower award. A person who participated in misconduct or obtained information in a restricted way may face additional legal issues. Get advice before making assumptions about eligibility or protections.

A central concept is original information. In general, it means information based on your independent knowledge or independent analysis that is not already known to the government in the relevant way. Information may be less

likely to qualify if it merely repeats public allegations, press coverage, or details the government already has. The rules can be technical—for example, there may be exceptions where a whistleblower is the original source of information that later became public.

Concrete, specific facts are usually more useful than conclusions. For example, "the bank ignored AML" is a broad allegation. A more helpful account might identify the relevant dates, business unit, transaction pattern, internal warning, decision-maker, and records that could verify what happened. You do not need to investigate on your own or access records you are not authorized to use. Never alter, remove, or unlawfully disclose documents to build a case.

What kinds of violations may qualify?

The program concerns certain violations of the BSA and related laws. The precise legal basis matters; a troubling practice is not automatically a violation. Examples of conduct that may be relevant include:

- **Suspicious Activity Reports (SARs):** failures to file required SARs, repeated delays, materially incomplete reporting, or improper disclosure that a SAR was filed. SARs are confidential. Do not tell the subject of a report that one exists or share a SAR itself outside authorized channels.
- **Structuring:** breaking transactions into smaller amounts to evade reporting or recordkeeping requirements, or knowingly helping someone do so. A cash deposit below a reporting threshold is not, by itself, proof of structuring; context and intent matter.
- **Customer due diligence (CDD):** failures to maintain required customer due diligence procedures, including applicable beneficial-ownership identification and ongoing monitoring obligations.
- **Records and reporting:** failures to keep required records, maintain adequate controls, or comply with other BSA reporting and recordkeeping duties.
- **Sanctions-related conduct:** certain violations of U.S. sanctions laws may fall within the program's covered areas. Sanctions rules are complex, so describe the underlying conduct and records rather than trying to make a legal determination yourself.

These are examples, not a checklist that proves a violation. FinCEN attorney contingency fee and other authorities assess the facts and applicable law. The program's coverage can also depend on which agency investigates and whether an action meets the statutory requirements.

What to do before filing

If you are considering a report, take practical steps to preserve your safety and the usefulness of your information:

1. **Write a private chronology.** Note dates, people or roles involved, what you observed directly, and what you learned from someone else. Separate facts from assumptions.
2. **Identify supporting records.** Make a list of documents, systems, transactions, or witnesses that could corroborate the concern. Do not access, copy, or take material you are not authorized to handle.
3. **Check FinCEN's current instructions.** Use the official FinCEN website to locate current whistleblower information, forms, and submission procedures. Confirm where the report goes and what contact information is requested.
4. **Consider consulting an attorney.** If you want to use the anonymous route or may seek an award, ask a lawyer familiar with whistleblower matters about eligibility, confidentiality, filing steps, and risks. You can ask about how an initial consultation is handled before sharing sensitive details.

5. **Protect your personal information.** Do not use a work laptop, work email, or employer-controlled phone for sensitive communications. Avoid forwarding confidential records to personal accounts or discussing the matter on channels others can monitor.
6. **Keep a record of the submission process.** Save permitted confirmation details and notes about when and how you filed. Do not retain or distribute protected material in ways the law or your employer's rules prohibit.

Will my employer find out?

An attorney-assisted anonymous filing can reduce direct disclosure of your name at the outset, but it cannot promise that your identity will never be discovered. Investigators may need to interview witnesses or review a narrow set of events.

Your employer—or others—might infer who raised the issue from the timing or details. Legal confidentiality rules, anti-retaliation protections, and the procedures for a particular case are not identical, so ask counsel how they may apply to you.



If you are concerned about retaliation, document relevant events factually and seek legal advice promptly. Do not assume that every adverse workplace action is retaliation, or that every person who reports is protected in the same way. Avoid public accusations or posting sensitive details online; that can create risks for you and may compromise an investigation.

Bottom line

You may be able to provide information to FinCEN without publicly identifying yourself, but the federal AML whistleblower program's anonymous route is designed for submissions made through an attorney. An anonymous filing without counsel should not be treated as a guaranteed path to confidentiality or an award. Contact information is still important, original information must meet legal standards, and any award depends on specific statutory requirements and enforcement outcomes.

You know what's funny? what to do next: review the current fincen whistleblower guidance, prepare a factual chronology without taking unauthorized records, and consult an attorney if you want to file anonymously or

preserve a potential award claim. For matters involving Suspicious Activity Reports, do not disclose the existence or contents of a SAR to the person it concerns.