Yes. Your own role in a violation of anti-money laundering rules may reduce an award, but culpability does not automatically make you ineligible. The outcome depends on the facts, the value and usefulness of your information, your cooperation, and whether you were convicted of a crime connected to the enforcement action. The law does not promise an award—or a particular percentage.

This guide explains how the federal whistleblower program works, what "original information" means, which violations may qualify, and what to consider before reporting. It is general information, not legal advice. If you are concerned that your conduct could expose you to civil or criminal liability, speak with an attorney experienced in whistleblower and financial-regulatory matters before taking action.

Short answer: culpability can affect the amount

The Bank Secrecy Act (BSA) whistleblower program allows eligible people anonymous whistleblower filing to seek an award for information that helps the government bring a successful enforcement action. The Anti-Money Laundering Act (AML Act) created the program, and later legislation strengthened it. The program generally provides awards of 10% to 30% of monetary sanctions collected in a qualifying action when the statutory threshold is met.

That range is not a guarantee. In deciding an award, the government can consider the whistleblower's culpability, including their role in the reported conduct. It can also consider the significance of the information, the assistance provided, and other relevant factors. A person who helped design or conceal a scheme may therefore receive less than someone who reported it without participating, even if both supplied useful evidence.



There is an important distinction between **reduced eligibility or award value** and **automatic disqualification**. Culpability alone does not necessarily bar an award. A conviction for a criminal violation related to the enforcement action can, however, make a whistleblower ineligible. Other statutory exclusions may also apply, including knowingly providing false information.

What is the AML/BSA whistleblower program?

The program is a federal mechanism for people to provide information about certain financial violations to the U.S. Department of the Treasury, with the Financial Crimes Enforcement Network (FinCEN) playing a central role in administering the BSA program. The BSA is the main federal framework requiring financial institutions to maintain anti-money-laundering controls, keep records, and report certain suspicious activity.

A whistleblower who provides qualifying information may be eligible for a share of monetary sanctions collected in a successful covered action. The general award range is 10% to 30% of collected sanctions above the applicable statutory threshold, commonly described as more than $1 million in monetary sanctions. An award is not based simply on submitting a tip: the information must meet program requirements and contribute to a qualifying enforcement result.

For current program information and official instructions, consult FinCEN's website. Do not assume that every AML concern, internal investigation, or regulatory penalty qualifies for a whistleblower award.

Legal origin and timeline

- **2020:** The Anti-Money Laundering Act of 2020 established a BSA whistleblower framework, including the possibility of monetary awards for qualifying information.
- **December 23, 2022:** The Anti-Money Laundering Whistleblower Improvement Act was enacted as part of the National Defense Authorization Act for Fiscal Year 2023 (NDAA FY2023). It strengthened the award framework and clarified features of the program, including the treatment of culpable whistleblowers.
- **Today:** FinCEN remains the key official source for program information, forms, and implementation updates. Check its current guidance because procedures and regulations can change.

The 2022 changes matter to people who may have been involved in the conduct they report. The program is not limited in every case to a person with entirely clean hands. But a whistleblower's conduct can affect eligibility and the award amount, and a criminal conviction related to the action can be a bar.

How culpability can affect an award

"Culpability" refers to the degree to which a person was responsible for, involved in, or aware of the misconduct. It can range from failing to escalate a warning to actively directing transactions, disguising records, or coaching others to avoid reporting requirements. The label alone does not decide the result; the facts and applicable statutory rules matter.

For example, imagine an employee who approved customer files despite noticing gaps in customer due diligence. That employee later provides internal messages showing that managers instructed staff to ignore the gaps. Their approval decisions could be relevant to culpability, while the messages and their assistance may be valuable to investigators. The government may weigh both sides.

Now consider a person who knowingly helped customers break large cash transactions into smaller deposits to avoid reporting, then voluntarily provides detailed records and identifies the people who organized the practice. Their participation may weigh against a larger award. But participation does not by itself establish that they are automatically excluded. A related criminal conviction, false statements, or other disqualifying conduct could change the analysis.

Issue Why it matters Role in the misconduct Planning, directing, concealing, or knowingly participating in violations may weigh against the award amount. Criminal conviction A conviction for a criminal violation related to the enforcement action may disqualify a whistleblower. Quality of information Specific, reliable information that

advances an investigation may support an award. Cooperation and timing Prompt, truthful assistance may help; delay, obstruction, or misleading investigators can harm credibility and eligibility.

Do not treat this table as a formula. Award decisions are fact-specific, and the government—not the whistleblower—determines whether the legal requirements are met.



Eligibility and “original information”

To qualify, a person generally must provide **original information** through the required process and that information must lead to a successful covered enforcement action. 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 legal definitions and exceptions.

Information is not necessarily disqualified just because it concerns a matter the institution has also investigated. But merely repeating public allegations or submitting facts that are already known to the government may not satisfy the standard. The details of how the information was obtained and whether it is genuinely new can matter.

Practical examples of potentially useful information

- Messages showing that staff were told not to file required reports.
- Transaction patterns that reveal how suspected structuring was carried out.
- Evidence that customer files were altered to hide missing due diligence.
- Names, dates, accounts, and process details that help investigators test a theory.
- Records showing that suspicious activity was repeatedly identified but not escalated.

Submitting a tip does not guarantee confidentiality in every circumstance, immunity from prosecution, or protection from all workplace consequences. Discuss those risks with a lawyer before deciding how to proceed, particularly if you may have participated in the conduct.

What violations may qualify?

The program concerns violations within its statutory scope, especially violations of the BSA. Common AML-related issues that may be relevant include:

- **Suspicious Activity Reports (SARs):** A financial institution's failure to file required reports, or other misconduct involving required suspicious-activity reporting. SARs are confidential. Do not take, copy, or disclose a SAR or related protected material without legal guidance and authorization. You can discuss underlying facts and reporting failures through an appropriate channel.
- **Structuring:** Breaking transactions into smaller amounts to evade currency transaction reporting or other legal requirements. A report should describe what happened, when, who was involved, and how the pattern avoided controls.
- **Customer due diligence (CDD):** Failures involving customer identification, beneficial ownership, or ongoing monitoring where the conduct violates applicable requirements.
- **Recordkeeping and internal controls:** False, incomplete, destroyed, or improperly maintained records, or control failures connected to a covered BSA violation.
- **Sanctions:** Sanctions violations may involve separate authorities and reporting channels, including those administered by the Office of Foreign Assets Control (OFAC). Whether a particular sanctions matter qualifies under the BSA whistleblower program depends on the law and facts. Do not assume that every sanctions tip qualifies for a BSA award.

FinCEN's website is the best starting point for official BSA program information. For a sanctions concern, review the relevant Treasury and OFAC guidance as well. A lawyer can help identify the right reporting route without unnecessarily exposing protected information.

What to do next: a practical checklist

1. **Write down what you personally know.** Note dates, people, systems, transactions, and how you learned the information. Separate direct observations from assumptions.
2. **Do not remove or alter records.** Avoid accessing files you are not authorized to access, copying confidential data, or taking SARs. Preserve information only in ways permitted by law and workplace rules.
3. **Get independent legal advice.** If you may have been involved, ask counsel to assess potential exposure, eligibility limits, reporting options, and how culpability could affect an award.
4. **Check official instructions.** Review FinCEN's current whistleblower information and submission process rather than relying on outdated articles or informal advice.
5. **Be accurate and candid.** Do not exaggerate, guess, or omit facts that could make your account misleading. False statements can seriously undermine a report and may create separate legal consequences.
6. **Protect sensitive communications.** Do not use a work laptop, work email, or workplace messaging system to seek confidential legal advice or prepare a sensitive report. Use a personal, secure device and ask your lawyer about safe handling of documents.
7. **Keep a careful record of your submission.** Follow the official process and retain lawful documentation of what you submitted and when.

Bottom line

Your culpability may reduce an award, but it does not automatically eliminate eligibility in every case. The key questions include how involved you were, whether you were convicted of a related criminal violation, whether your information is original and useful, and how you cooperate. Because the rules can be complex—and because a

report may expose your own conduct—get legal advice before submitting sensitive information. Use FinCEN's website for current official guidance, and handle Suspicious Activity Reports and other protected records with particular care.