Often, yes. Under the Bank Secrecy Act (BSA) whistleblower provisions as amended in 2022, reporting suspected BSA violations through an employer's internal compliance channels can qualify as protected activity. But an internal report does not automatically make every workplace dispute a whistleblower case, guarantee protection in every circumstance, or establish eligibility for a financial award.

The details matter: what you reported, whom you told, how you made the report, and whether an employer retaliated because of it. This overview explains the basic rules in plain English. It is general information, not legal advice about a particular situation.

What the 2022 Act changed—and what it did not

The Anti-Money Laundering Act of 2020 created and expanded protections and potential awards for people who provide information about certain BSA violations. Later legislation, including the 2022 amendments, addressed parts of that whistleblower framework. The relevant law is part of the BSA, administered by the U.S. Department of the Treasury, with the Financial Crimes Enforcement Network (FinCEN) playing a central role in BSA administration.

For employees, the key point is that the statutory anti-retaliation framework includes certain lawful acts in providing information about a BSA violation to an employer, as well as to government recipients such as Treasury or the Department of Justice. That means internal compliance reporting may count as protected activity. The precise protected activity definition depends on the statute and facts—not on whether a company labels a report "formal," "informal," or "just a concern."

Protection is not the same as immunity from ordinary performance management, and it does not necessarily shield unrelated conduct. The central question is generally whether an employer took a prohibited adverse action because of protected whistleblowing activity. A lawyer can assess how the law applies to a specific employment decision and timeline.

What kinds of BSA duties could be involved?

A useful report connects facts to a possible legal or regulatory duty. The BSA and implementing rules impose obligations on covered financial institutions. Common areas include:

- **Suspicious Activity Reports (SARs):** Covered institutions must file SARs when regulatory criteria are met. A concern might involve suspicious transactions that were not escalated, investigated, or reported as required. SARs are confidential; employees should not disclose a SAR or its existence to a customer or other unauthorized person.
- **Currency Transaction Reports (CTRs):** Financial institutions generally must report certain cash transactions exceeding $10,000, including applicable same-day aggregation. A concern could involve missed reporting, improper aggregation, or conduct intended to evade reporting requirements.
- **Customer Due Diligence (CDD):** Covered institutions have obligations to identify and verify customers, understand the nature and purpose of customer relationships, conduct ongoing monitoring, and identify beneficial owners of legal-entity customers where required.
- **AML program effectiveness:** Institutions subject to the BSA must maintain an anti-money-laundering program that meets applicable requirements. Concerns may involve weak controls, inadequate training, ineffective independent testing, insufficient staffing, or repeated failures to address known risks.

Not every mistake is a BSA violation. A report is stronger when it identifies the relevant process, the conduct at issue, when it happened, who had responsibility, and why the conduct may have breached a legal or regulatory obligation. Avoid calling something “fraud” just because it looks troubling. Describe what you observed and the duty you believe may apply; let qualified investigators and counsel assess the legal conclusion.





What qualifies as a reportable BSA/AML violation?

A reportable concern may involve an actual or suspected violation of the BSA, its regulations, or related requirements. Examples might include knowingly bypassing transaction-monitoring controls, directing staff not to escalate suspicious activity, falsifying compliance records, or repeatedly ignoring identified reporting failures. The underlying facts and applicable rules determine whether conduct is unlawful.

You do not have to prove the entire case before raising a concern. At the same time, a vague statement such as “everyone knows the bank is laundering money” is not a substitute for evidence. Record what you

personally saw, what records or systems may be relevant, and what you learned from others—clearly separating firsthand knowledge from secondhand information.

Internal reporting can be useful even when the issue is later found not to be a violation. The law's protections are not necessarily limited to reports that ultimately result in enforcement. However, knowingly false statements, unlawful access to information, or improper disclosure of protected material can create separate risks. Do not take documents you are not authorized to access, alter records, or disclose customer information or SAR-related material outside lawful channels.

Internal compliance reporting and anti-retaliation coverage

Internal compliance channels can include a supervisor, compliance officer, BSA officer, ethics hotline, legal department, or another person at the employer with authority to investigate or address misconduct. Depending on the facts, reporting through one of these channels may fall within the BSA's anti-retaliation coverage.

Protection is not a promise that the employer will agree with you or that no adverse action will occur. Relevant questions can include whether you made a lawful report relating to a BSA violation, whether the employer knew about it, what action followed, and whether the report was a contributing factor. Deadlines and procedures may apply to bringing a retaliation claim, so do not wait for an internal process to conclude before getting advice if you believe you are being punished.

Practical steps after making an internal report

1. **Write down a timeline the same day something happens.** Note the date, time, people involved, what you reported, how you reported it, and any response. Keep the account factual and distinguish what you witnessed from what you inferred.
2. **Preserve lawful records.** Keep copies of your own communications when permitted, and follow workplace policies and confidentiality rules. Do not email yourself work documents or move customer or company data to personal accounts.
3. **Document later employment events.** Record changes in duties, access, reviews, discipline, schedules, or termination, along with dates and stated reasons. Keep relevant communications you are authorized to retain.
4. **Consider whether to report externally.** Internal reporting and a submission to a government agency are different steps. An attorney can help assess timing, confidentiality, and the best route.

Internal reporting versus a FinCEN submission

Internal compliance reporting does not necessarily substitute for submitting information to the government. If you are considering an award or want to make an external report, review the current process and requirements directly. FinCEN provides a **FinCEN whistleblower submission form** as an agency process for submitting information. A submission should be truthful, specific, and supported by information you may lawfully provide.

The U.S. Department of the Treasury and FinCEN are not the same entity: FinCEN is a Treasury bureau. Depending on the matter, other agencies may also have roles. Do not assume that a report to one recipient automatically satisfies every legal requirement or preserves every deadline. Agency procedures can change, so check official sources or consult counsel before submitting.

Original information and award eligibility basics

Anti-retaliation protection and award eligibility are separate questions. A person may have a protected internal report without qualifying for a monetary award. Award eligibility generally depends on providing original https://usattorneys.com/how-to-file-a-bsa-whistleblower-lawsuit/ information through the applicable process and whether that information leads to a successful enforcement action resulting in qualifying monetary sanctions above the statutory threshold. The BSA framework generally provides for awards tied to a percentage of collected sanctions, subject to statutory requirements and limitations.

“Original information” generally means information derived from a person’s independent knowledge or analysis, rather than information already known to the government or publicly available, subject to legal definitions and exceptions. Simply repeating a public news story may not qualify. Information can still be valuable when it adds nonpublic details, explains how a scheme worked, identifies records, or points investigators toward evidence.

Eligibility rules can exclude certain people or circumstances, and award decisions are not automatic. For example, a person’s role in the conduct, the source of the information, and the manner in which it was obtained can matter. The relevant statute and agency rules control; an attorney can help evaluate whether a potential submission meets the requirements.

Working with a whistleblower attorney

A whistleblower attorney can help separate an employment retaliation issue from an award submission, identify filing deadlines, assess what information may be shared, and communicate with the agency where appropriate. Ask about the lawyer’s experience with BSA matters, confidentiality practices, conflicts, and how fees and costs work.

Some whistleblower lawyers take qualifying matters on a contingency-fee basis, meaning the fee is tied to a recovery under the engagement agreement. “Contingency” does not mean every case is accepted, that an award is likely, or that all expenses are covered. Read the written fee agreement carefully and ask who pays costs if there is no recovery. USAttorneys.com may be one place to look for attorney information, but verify any lawyer’s license, experience, and suitability independently.

Bottom line

Internal compliance reporting can count as protected activity under the BSA whistleblower framework amended in 2022. Whether a particular report is protected—and whether retaliation or award rules apply—depends on the facts and legal requirements. Keep a careful timeline, report what you know without exaggeration, protect confidential information, and seek prompt legal advice if you face retaliation or are considering an external submission.

Question General answer Can internal compliance reporting be protected? Yes, it can qualify when it is a lawful report relating to a BSA violation and the statutory conditions are met. Does protection guarantee an award? No. Anti-retaliation coverage and award eligibility are separate. Must I prove a violation before reporting? You should report facts honestly and specifically; you generally do not need to complete an investigation yourself. Can I take work files home to support a report? Do not remove or transmit documents unless you are authorized. Get advice about lawful preservation and disclosure.