



## WHO CAN BE A WHISTLEBLOWER?

Anyone with evidence of corporate fraud can be a whistleblower. Common categories of whistleblowers include current employees, former employees, consultants, auditors, analysts, compliance personnel and competitors. It is important to understand, however, that each of the government's whistleblowing programs contains different rules and regulations which can affect the ability of the whistleblower to qualify for an award.

### **i. False Claims Act**

Under the False Claims Act, any individual or entity with original information about the submission of false claims to a federally funded program can potentially be a whistleblower. The whistleblower's information cannot be solely derived from public sources such as the news media, public court dockets, or public hearings.

### **ii. SEC and CFTC whistleblower programs**

Under the SEC and CFTC whistleblower programs, individuals who voluntarily provide original information or original analysis of securities or commodities violations may be eligible to recover whistleblower rewards.

### **iii. IRS Whistleblower Program**

The IRS Whistleblower program allows anyone with knowledge of a tax violation to provide evidence of the alleged fraud in a submission filed with the IRS. For the whistleblower to be eligible for an award, the alleged tax violation must involve at least \$2 million if the violator is a company or \$200,000 if the violator is an individual.

### **iv. Anti-Money Laundering Act Whistleblower Program**

Under the Anti-Money Laundering Act Whistleblower program, a whistleblower who provides original information about a violation of the federal anti-money laundering laws, including the Bank Secrecy Act and various economic sanctions laws, may be eligible to receive between 10% and 30% of the recovery.

If you would like to speak to a member of our whistleblower group about a potential whistleblower matter, please contact us to schedule a case evaluation. All case evaluations are confidential and free.