Short answer: collected sanctions. Under the Bank Secrecy Act (BSA) whistleblower programme, an enforcement action imposing a large penalty does not, by itself, create an award of that size. The relevant question is generally how much money the government actually collects in qualifying monetary sanctions—and whether the whistleblower's information helped bring about the action.

That distinction matters for anyone weighing an external report against an internal compliance route. A regulator may announce a substantial penalty, but collection can be delayed, reduced or affected by the terms of a settlement. An award is not a guaranteed share of a headline figure.

The programme was substantially revised by legislation enacted in December 2022. The changes made awards mandatory in qualifying cases, established a $1 million sanctions threshold and addressed weaknesses in how awards are funded. They did not turn every report into an entitlement to a payment.

What changed in 2022?

The BSA whistleblower programme was created by the Anti-Money Laundering Act of 2020. Congress then amended it through the Anti-Money Laundering Whistleblower Improvement Act, enacted as part of the National Defense Authorization Act for Fiscal Year 2023 in December 2022.

Before that overhaul, the programme's award structure was widely criticised as uncertain, including because of limits on the money available to pay awards. The 2022 legislation made a key change: where a whistleblower meets the statutory conditions and the relevant sanctions threshold is crossed, the award is to be paid within the statutory range. It also established a fund intended to support the programme.

In practical terms, the amendment strengthened the prospect of an award. It did not remove the need to establish eligibility, assess the quality of the information or determine the amount of sanctions collected. Nor did it guarantee that a whistleblower would receive the maximum percentage.

Imposed is not the same as collected

An imposed sanction is a penalty or other monetary sanction ordered in an enforcement action. A collected sanction is money the government actually receives. The BSA award calculation is tied to qualifying monetary sanctions collected, rather than simply the amount stated in an order or press release.

For example, if an agency announces a $5 million penalty but ultimately collects only $3 million in qualifying sanctions, the announced $5 million is not automatically the base for the award. The collection position matters. Timing matters too: a payment may arrive after the enforcement announcement, so the award process may not be resolved at the same time as the case.

Whether a particular payment counts depends on the statute and the facts. A settlement may include different components, and not every figure described as a penalty, forfeiture, restitution or repayment necessarily has the same treatment for award purposes. Whistleblowers should not assume that all money mentioned in an enforcement release belongs in the award calculation.

Term What it means Why it matters Imposed sanctions Monetary sanctions ordered or agreed in an enforcement action A headline amount alone does not establish the award base Collected sanctions Qualifying monetary sanctions actually received by the government These are central to the award calculation and the threshold Related action A further action connected to the original information, as provided for by law Qualifying collections may potentially be relevant to the award

The $1 million trigger and mandatory awards

The 2022 amendments made awards mandatory when the statutory conditions are met and the relevant monetary sanctions exceed $1 million. The threshold concerns qualifying sanctions collected in the covered action or actions, not merely a regulator's initial estimate or an imposed amount that remains unpaid.



"Mandatory" is important, but it should not be read as "automatic". A claimant still needs to qualify under the programme. The information must meet the legal requirements, the person must not be disqualified, and the authority must determine that the information contributed to a covered enforcement outcome. The threshold does not mean every person who supplies a tip receives a payment.

Where the threshold is not met, the statutory basis for an award under this programme may not be available. Where it is met, the law requires an award within the applicable range, subject to the programme's rules and the assessment of the do whistleblowers get paid particular case.

What does the 10 to 30 per cent range mean?

The statute provides for an award of between 10 and 30 per cent of the monetary sanctions collected in the covered action or related actions, where the legal conditions are satisfied. The range is not a promise of 30 per cent, nor does it mean the whistleblower can calculate a payment from the penalty announced on the day an enforcement case closes.

The decision-maker assesses the award under the programme's criteria. The value, usefulness and reliability of the information can matter, as can the whistleblower's contribution to the investigation and any other factors set out in the governing rules. The precise calculation can therefore depend on facts that are not visible in a public enforcement notice.

A simple illustration shows the difference. If qualifying collections total $2 million, a 10 to 30 per cent range would correspond, in broad arithmetic terms, to $200,000 to $600,000. That is not a prediction of an actual award. The final amount depends on eligibility, the authority's assessment and the treatment of the relevant collections under the programme.

Why the award may come later

Collection can follow the enforcement decision, sometimes in instalments or after further proceedings. As a result, an award process may depend on information that is not settled when the sanction is first announced. A whistleblower should distinguish between an enforcement result, the government's collection of money and the later determination of an award.

That timing also makes it risky to rely on media coverage as a guide to a potential payment. An announcement may describe the total value of a settlement, but not explain which components are qualifying monetary sanctions, what has been collected or how the whistleblower's contribution will be assessed.

Internal reporting, external submissions and SARs

Financial institutions have obligations to identify and report suspicious activity through Suspicious Activity Reports (SARs). Those obligations are part of the institution's compliance framework; they are not the same thing as a whistleblower submission to a regulator.

An employee may raise a concern through internal compliance channels, such as a manager, compliance officer or designated reporting line. That can help an organisation investigate and correct a problem. But an internal report is not necessarily a submission to the government, and an internal process does not itself establish eligibility for a BSA whistleblower award.

Conversely, the BSA whistleblower framework does not generally make internal reporting a prerequisite to contacting the relevant authorities. Someone considering an external submission should check the current programme procedures and use the appropriate channel. The timing and content of a submission can matter, so legal advice may be useful before acting.

SARs require particular care. Federal law restricts disclosure of a SAR and information that would reveal its existence. A person should not copy, remove or disclose SARs—or tell others that a SAR has been filed—on the assumption that whistleblower status provides blanket permission. A concern can be described to a regulator without improperly disclosing protected SAR material, but the boundary is fact-sensitive. Seek advice from a lawyer familiar with financial regulation and whistleblower law before sharing sensitive records.

Protection against retaliation

The BSA includes anti-retaliation protections for qualifying whistleblowers. Broadly, the law prohibits specified forms of retaliation against an employee because the employee provided information to the relevant authorities, or engaged in protected activity under the statute.

The statute also provides a federal cause of action in defined circumstances. A person who believes an employer retaliated may need to file a complaint with the Secretary of Labor within 180 days of the alleged violation. If the statutory conditions are met—including the rule concerning the absence of a final decision within 180 days—the person may be able to bring an action in federal district court. The details and deadlines should be checked promptly with counsel.



Available relief can include reinstatement, double back pay with interest, and compensation for litigation costs, expert witness fees and reasonable attorneys' fees, where the legal requirements are met. These remedies are not automatic. A whistleblower must establish a qualifying claim, and a retaliation dispute can involve difficult questions about timing, motive and evidence.

Retaliation risk should be considered before a report is made, not only after an adverse employment decision. Keep a careful, lawful record of relevant events and communications. Do not take confidential company material without advice: collecting evidence in a way that breaches privacy, security or other legal duties can create separate problems.

Practical points before making a report

- **Separate the figures.** Distinguish an announced penalty from sanctions actually collected.
- **Check the channel.** An internal compliance report and an external submission to a regulator are different steps.
- **Preserve the chronology.** Record when concerns were raised, with whom, and what responses followed, using lawful methods.
- **Protect SAR confidentiality.** Do not disclose a SAR or information that reveals its existence without legal advice.
- **Do not assume an award.** Eligibility, contribution, collections and the statutory assessment all matter.
- **Act promptly on retaliation concerns.** The 180-day administrative deadline can be significant.

The bottom line

The BSA whistleblower programme is focused on qualifying sanctions that are collected, not simply imposed. The 2022 overhaul strengthened the programme by providing for mandatory awards when the statutory conditions are met and the $1 million threshold is crossed. It set an award range of 10 to 30 per cent, but the percentage is assessed case by case and is not guaranteed at the top of the range.

For employees, the practical distinction is clear: an internal report may be important to compliance, but it is not the same as an external whistleblower submission. A regulator's penalty announcement may be significant, but it is

not the same as collected sanctions. And an award opportunity does not eliminate the need to protect confidential information, consider retaliation risk and meet procedural deadlines.

This article is general information, not legal advice. The BSA whistleblower statute, agency procedures and facts of an individual matter should be reviewed with a qualified lawyer.