Short answer: yes—and the most important proposal became law in 2022. The Anti-Money Laundering (AML) Whistleblower Improvement Act strengthened the Bank Secrecy Act (BSA) whistleblower programme, bringing key features closer to the award and retaliation frameworks used by the Securities and Exchange Commission (SEC) and Commodity Futures Trading Commission (CFTC).

The changes addressed major weaknesses in the original BSA scheme: awards were not reliably funded, and whistleblowers lacked a clear federal route to challenge retaliation. The revised programme provides for awards of 10 to 30 per cent when qualifying monetary sanctions exceed $1 million, and creates a federal cause of action for retaliation claims.

That is meaningful alignment, but not a complete copy of the SEC or CFTC models. The agencies administer different statutes and procedures, and a person's protection can depend on where and how they report. For financial institutions, the practical point is that internal compliance channels and external submissions to regulators are distinct routes—with different implications for investigations, legal protection and timing.

From proposal to law: the 2022 overhaul

The BSA requires financial institutions to maintain anti-money-laundering controls, including systems for identifying and reporting suspicious activity. Suspicious Activity Reports (SARs) are one part of that framework. They are confidential reports made to the government; they are not the same thing as a whistleblower tip, and an employee should not assume that sending information through an internal channel is equivalent to submitting it to a regulator.

Congress created a BSA whistleblower award programme through the AML Act of 2020. In practice, however, the programme had serious design problems. The original framework did not guarantee that an award would be paid, and it lacked a dedicated funding mechanism. It also did not provide the clear federal anti-retaliation remedy that whistleblower advocates had sought.

Congress responded with the AML Whistleblower Improvement Act, enacted in December 2022 as part of the National Defense Authorization Act for Fiscal Year 2023. The law revised *whistleblower lawyer advice AML* the BSA programme administered by the Department of the Treasury, with the Financial Crimes Enforcement Network (FinCEN) playing a central operational role. The changes were intended to make the programme more credible as an incentive for people to report significant violations.

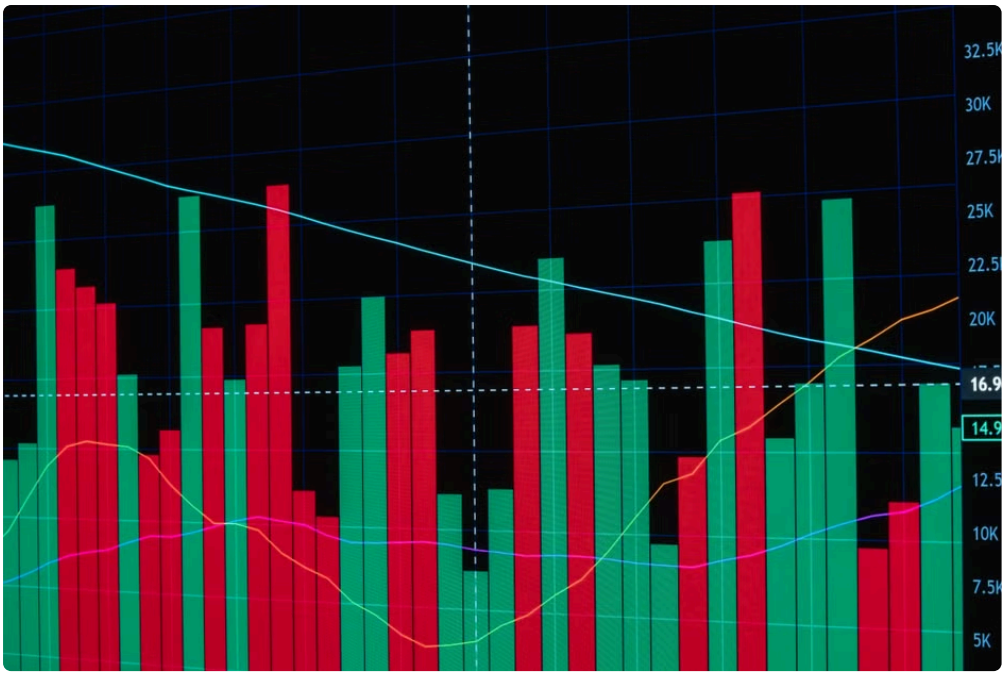
So, when asking whether there are legislative proposals to align BSA rules with SEC and CFTC programmes, it is important to distinguish between proposals that are still being debated and reforms already enacted. The 2022 legislation was a concrete alignment measure. It adopted familiar features of the securities and commodities whistleblower systems, while retaining a separate BSA framework.

Mandatory awards and the $1 million sanctions trigger

The most important change is that qualifying awards are no longer framed as simply discretionary. Under the amended BSA provisions, the Treasury Secretary is required to pay an award to an eligible whistleblower when the statutory conditions are met and the government obtains monetary sanctions exceeding the threshold.

The trigger is more than $1 million in monetary sanctions. That threshold is significant: the programme is not designed to pay an award whenever someone submits a useful tip. There must be a qualifying enforcement

outcome, and the whistleblower's information must meet the requirements of the statute. The government must also determine that the person is eligible and that the information contributed to the action.



"Mandatory" therefore does not mean automatic. It means that, once the legal conditions are satisfied, the agency does not have the same open-ended discretion to decline an award that characterised the earlier scheme. There can still be disputes over eligibility, the contribution of the information, and the calculation of the award.

The sanctions threshold also shapes expectations. A report may lead to an investigation, corrective action or a regulatory finding without producing monetary sanctions above $1 million. In that situation, an award under this programme may not be available. A person considering a report should not treat the existence of a statutory award scheme as a promise of payment.

What the 10 to 30 per cent range means

For qualifying cases, the award range is generally 10 to 30 per cent of the monetary sanctions collected in the covered action or related actions, subject to the statutory framework. The percentage is not a fixed commission. The responsible authority determines the amount within the range by applying the relevant criteria and rules.

The range resembles the headline percentage used by the SEC and CFTC programmes. It is intended to reward information that helps authorities detect and pursue serious misconduct, while leaving room to assess the value of a particular contribution. A tip that prompts an investigation may be treated differently from original, detailed evidence that materially advances a case.

For potential whistleblowers, the practical meaning is twofold:

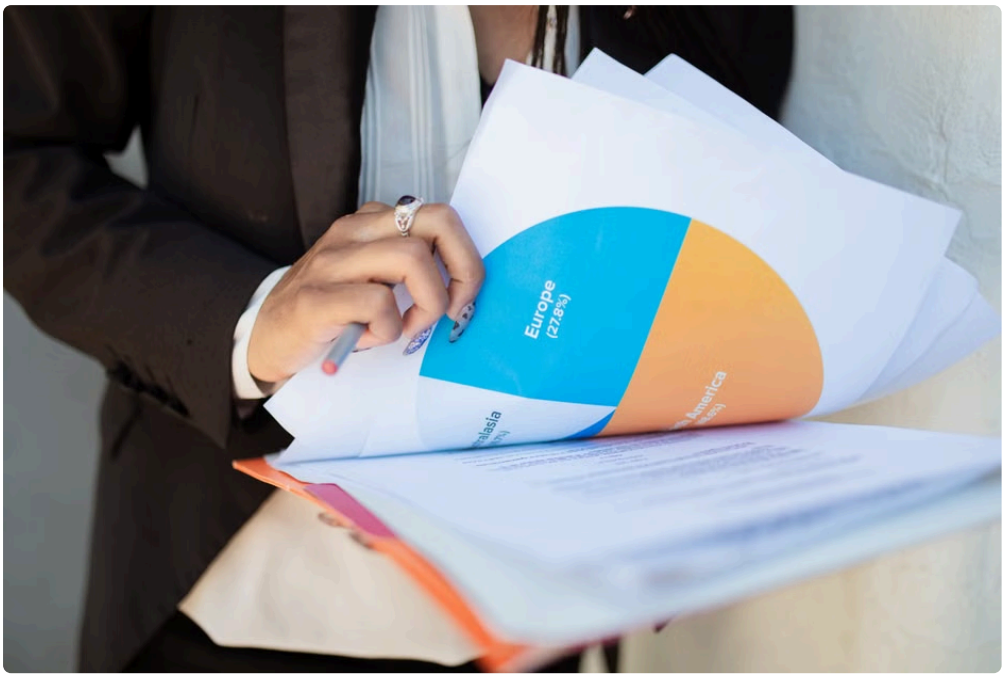
- **The award depends on the enforcement result.** The value of a report cannot be assessed by looking only at its content. The amount of sanctions collected and the connection between the information and the action matter.
- **The percentage is uncertain until determined.** The 10 to 30 per cent range is a statutory framework, not an assurance that a person will receive 30 per cent—or any award at all.
- **Eligibility and process matter.** People need to follow the applicable submission rules and provide information that meets the programme's requirements. A casual conversation with a regulator should not be assumed to preserve a claim.

The 2022 law also addressed funding by establishing a source from which awards can be paid. That matters because an award promise is less persuasive if there is no dependable mechanism to finance it. Funding reform, combined with mandatory awards, makes the BSA programme more closely resemble the operational logic of the SEC and CFTC systems.

Anti-retaliation standards and a federal cause of action

Financial incentives are only one part of whistleblower protection. Employees may face dismissal, demotion, threats, reduced responsibilities or other adverse treatment after raising concerns. The 2022 reforms established anti-retaliation protections and a federal cause of action, giving covered whistleblowers a route to bring a claim in federal court.

The BSA provisions protect certain lawful reporting-related activity. This includes providing information to the Treasury Department, the Department of Justice (DOJ) or law-enforcement authorities, as well as raising concerns with an employer in circumstances covered by the statute. The details matter: not every workplace complaint, disagreement or disclosure will necessarily qualify as protected conduct.



A federal cause of action is a significant change because it gives an affected person a legal route to seek a remedy rather than relying only on an agency to intervene. Available relief can include reinstatement, back pay with interest and compensation for certain litigation costs, as set out by law. A claim still requires a person to establish the relevant facts and satisfy procedural requirements; the existence of a remedy does not guarantee success.

Timing is especially important. The statute sets a time limit for bringing a retaliation claim, and a person may need to act promptly while documenting events and seeking advice. Waiting for an internal investigation to finish, or assuming that an informal complaint will stop the clock, can create avoidable risk. Anyone facing possible retaliation should obtain advice from a qualified solicitor or attorney about the applicable deadline and steps.

How the BSA rules compare with SEC and CFTC programmes

The SEC and CFTC programmes are often used as reference points because they combine monetary awards with protections against retaliation. The 2022 BSA reforms move in that direction, but the programmes are not interchangeable. Their statutes, submission procedures, enforcement jurisdictions and case-specific rules differ.

Feature

BSA programme after 2022

SEC and CFTC comparison

Award trigger

Generally requires qualifying monetary sanctions exceeding $1 million.

Both programmes also use a $1 million sanctions threshold for awards.

Award range

Generally 10 to 30 per cent under the statutory scheme.

The SEC and CFTC programmes use a comparable 10 to 30 per cent range, subject to their rules.

Retaliation route

Provides a federal cause of action for covered retaliation.

Each has its own statutory protections and procedures. Reporting requirements can be important to whether a person qualifies for protection.

Regulator and subject matter

Concerns violations within the BSA whistleblower framework.

The SEC and CFTC address matters within their respective securities and commodities jurisdictions.

The table shows structural alignment, not identical legal treatment. In particular, potential whistleblowers should not assume that reporting internally alone will satisfy every external programme's requirements. The SEC framework has been interpreted by the US Supreme Court to require a report to the SEC for the relevant Dodd-Frank anti-retaliation protection. The rules applicable to CFTC and BSA matters must be checked separately.

Internal channels are not the same as external submissions

Internal reporting systems remain important. A bank, money services business or other covered institution may provide a hotline, compliance mailbox or direct route to an AML officer. These channels can help a firm investigate concerns, correct control failures and meet its own obligations. They may also be the first practical step for an employee who wants to raise a concern safely.

But an internal report and an external whistleblower submission are different acts. A report to a compliance team does not, by itself, establish that a tip has been submitted to FinCEN, the SEC, the CFTC or another government body. Nor does an external tip necessarily fulfil an employee's workplace reporting obligations or replace an institution's responsibility to assess whether it must make a SAR.

That distinction is particularly important where SARs are concerned. Employees should not disclose a SAR, or information that would reveal its existence, without proper authority. SAR confidentiality rules are separate from whistleblower rights, and a person should get legal advice before sharing protected information. A whistleblower programme is not a licence to circulate confidential reports or customer data indiscriminately.

For employers, a well-designed internal channel should make it possible to raise concerns without routing them through a manager who may be implicated. It should also preserve records, restrict access to sensitive material

and prohibit retaliation. These measures cannot guarantee that an employee will not contact a regulator, nor should they be designed to obstruct lawful external reporting.

What firms and potential whistleblowers should do

For financial institutions

- Review whistleblower, AML and anti-retaliation policies against the amended BSA framework and relevant SEC or CFTC requirements.
- Train managers to recognise protected reporting activity and to escalate concerns without retaliatory conduct.
- Keep internal investigation records separate from SAR-related materials where appropriate, and apply strict access controls to confidential information.
- Do not suggest that employees must use internal channels before contacting a regulator unless qualified counsel confirms that a particular legal requirement applies.

For people considering a report

- Identify the regulator and legal regime that may apply. A BSA concern is not automatically an SEC or CFTC matter, and one set of procedures may not preserve rights under another.
- Record relevant events lawfully, including dates, communications and changes to job duties. Do not remove or disclose confidential material without advice.
- Consider retaliation risk before reporting and seek independent legal advice where possible. Award eligibility and employment protection are separate questions.
- Act promptly if adverse treatment occurs. Deadlines can be short, and an internal complaint may not pause a statutory filing period.

Alignment, not a promise of protection or payment

The 2022 overhaul brought the BSA whistleblower programme closer to SEC and CFTC models in three central respects: awards are mandatory when statutory conditions are met, the award range is generally 10 to 30 per cent once sanctions exceed $1 million, and covered whistleblowers have a federal route to challenge retaliation.

Those reforms make the programme more credible than its original design. They do not make every report award-eligible, guarantee an enforcement action or eliminate the personal risks of reporting. The distinction between internal compliance channels and external regulatory submissions remains central, as do SAR confidentiality, eligibility rules and filing deadlines.

For firms, the sensible response is to maintain effective internal reporting and investigate concerns fairly—without discouraging lawful contact with regulators. For individuals, the safest course is to understand which programme applies, preserve evidence lawfully and obtain advice early, particularly if retaliation is a possibility.