



## Enforcement Insights

### FinCEN Proposes Whistleblower Program for AML and Sanctions Violations

April 15, 2026

On March 30, 2026, the U.S. Department of the Treasury's Financial Crimes Enforcement Network (FinCEN) **submitted** to the Federal Register a Notice of Proposed Rulemaking (NPRM) to implement a **formal whistleblower program** as mandated by the 2020 Anti-Money Laundering Act and the 2022 Anti-Money Laundering Whistleblower Improvement Act. FinCEN announced that the program is intended to help safeguard the financial system from illicit use, promote national security, and combat money laundering, sanctions evasion, terrorist financing, proliferation financing, and related crimes.

If finalized, the proposed rule would establish formal procedures for submitting tips, set out eligibility requirements, and standardize confidentiality, anonymity and anti-retaliation protections for whistleblowers. Importantly, the program would not be limited to Bank Secrecy Act (BSA) violations. It would also apply to violations under key U.S. sanctions authorities including the International Emergency Economic Powers Act (IEEPA), the Trading With the Enemy Act (TWEA), and the Foreign Narcotics Kingpin Designation Act. The program would also reach violations of sanctions programs administered by the Office of Foreign Assets Control (OFAC) and any programs implemented pursuant to IEEPA, including any tariffs programs and DOJ's Data Security Program. As a result of this broad reach, non-financial institutions (such as casinos, precious metals dealers, art dealers and galleries, or third parties that provide business services to financial institutions) could be subject to new enforcement risk. Non-financial institutions and sanctioned entities, as well as entities that do business with sanctioned entities or fail to have an effective compliance program, could all be impacted.

Under the proposed rule, eligible whistleblowers include U.S. and non-U.S. natural persons. To qualify for an award, FinCEN specifies that the individual must (i) voluntarily provide original information; (ii) be the original source of that information; (iii) provide information that leads to the successful enforcement of a covered action involving monetary sanctions exceeding \$1 million, or a related action involving a successfully enforced judicial or administrative action that is based on the original information that led to the successful covered action; and (iv) provide DOJ and Treasury with any additional requested information. A submission is considered "voluntary" only if it is made before any contact from a government agency, and "original" only if the government was not already aware of the information.

The proposal provides that, if an individual meets these requirements, the whistleblower may receive an award of 10 to 30 percent of collected monetary sanctions. FinCEN would determine the exact percentage based on factors including the significance of the information, the assistance the whistleblower provides, and the whistleblower's culpability in the matter. The proposal also includes a presumption in favor of a 30 percent award where the collected amount is \$15 million or less.

FinCEN is accepting public comments until May 31, 2026. If adopted, the rule is expected to meaningfully expand the flow of tips and enforcement actions in response to both anti-money laundering and sanctions-related misconduct. The new whistleblower program would increase incentives for employees and others to report concerns directly to the government, making the need for companies' strong internal reporting systems, investigation procedures, and escalation channels even more critical.