The Anti-Money Laundering Act of 2020 (AMLA) made a significant change to the Bank Secrecy Act (BSA) whistleblower framework: it created a stronger financial incentive for people who voluntarily provide original information that helps the government bring successful enforcement actions. It also strengthened protections against workplace retaliation.





Those changes do not mean every tip qualifies for an award, or that reporting guarantees a payment. The information generally must be useful, original, and tied to a successful action that results in substantial monetary sanctions. And while the statute provides anti-retaliation protections, applying them can depend on the facts and the steps a person takes.

This guide explains what AMLA changed, how FinCEN and BSA reporting fit in, what kinds of conduct may be reportable, and how to prepare a clear, responsible tip. It is general information, not legal advice. If you are considering reporting, a lawyer experienced in whistleblower matters can help assess eligibility, confidentiality, and deadlines.

What Is FinCEN, and What Does It Do?

The Financial Crimes Enforcement Network (FinCEN) is a bureau of the U.S. Department of the Treasury. It administers key parts of the BSA and collects, analyzes, and shares financial information to help combat money laundering, terrorist financing, and other financial crime. FinCEN also issues rules and guidance for financial institutions and other businesses subject to BSA requirements.

FinCEN is not the same as a bank's compliance department, and a report to FinCEN is not the same thing as a suspicious activity report (SAR). FinCEN receives information and works with other authorities, including law enforcement and regulators. Its whistleblower program page provides information about submitting tips and the program's requirements.

BSA and SAR Reporting Basics

The BSA requires certain financial institutions and other covered businesses to maintain anti-money laundering programs, keep records, and report specified activity. A central reporting obligation is the SAR: when a covered institution detects activity that meets applicable reporting criteria, it may be required to file a SAR with FinCEN.

A whistleblower tip is different. An individual may provide information to FinCEN about potential BSA violations. The tip may help the government identify misconduct or assess whether an institution met its obligations, but the whistleblower does not file a SAR on the institution's behalf. SARs are subject to strict confidentiality requirements. Do not disclose a SAR, or information that would reveal its existence, unless a lawyer confirms that disclosure is permitted.

Also keep clear the difference between what https://www.lexinter.net/how-to-submit-a-fincen-whistleblower-program-tip you personally observed and what you heard from someone else. Both can be relevant, but they should not be presented as if they are equally direct evidence.

What AMLA 2020 Changed for Whistleblowers

Before AMLA, the BSA had a whistleblower provision, but its financial incentive was limited. AMLA replaced that structure with a more substantial award framework and expanded anti-retaliation protections. These are the core BSA whistleblower updates often meant when people discuss "AMLA 2020 protections."

Area What AMLA changed What it means in practice Potential award Provides for an award generally ranging from 10% to 30% of monetary sanctions collected in qualifying actions, subject to statutory requirements. An award is possible, not automatic. A tip must meet program criteria and contribute to a successful action. Threshold The award framework applies to qualifying actions involving more than $1 million in monetary sanctions. The size and outcome of the government's action matter, not just the seriousness of the alleged conduct. Retaliation Prohibits covered employers from retaliating against individuals for protected whistleblowing activity. Protected disclosures may include providing information to the government through authorized channels, but the facts and legal requirements matter. Remedies Allows a whistleblower who establishes retaliation to seek remedies that can include reinstatement, back pay, and other relief specified by law. Prompt legal advice is important if workplace retaliation occurs; deadlines and procedural requirements may apply.

AMLA also set out rules for determining awards and circumstances that may affect eligibility. For example, the quality and originality of the information, its usefulness to the government, and the person's role in the

conduct may matter. A person who participated in wrongdoing should not assume they are automatically eligible or automatically excluded; that assessment is fact-specific and should be made with counsel.

Congress made further changes to the BSA whistleblower framework after AMLA, including through the Anti-Money Laundering Whistleblower Improvement Act of 2022. For current program requirements, use FinCEN's official materials and get legal advice rather than relying on an older summary.

Anti-Retaliation Rules and Protected Disclosures

AMLA's anti-retaliation rules are intended to protect people who lawfully provide information about possible BSA violations. Prohibited conduct can include actions such as firing, demoting, suspending, threatening, harassing, or otherwise discriminating against someone because of protected activity.

Protected disclosures are not a license to take documents you are not authorized to access, copy sensitive customer data, or share confidential records broadly. The safest approach is to preserve information you may lawfully access, avoid altering or removing records, and ask a lawyer how to submit relevant material through a secure and authorized channel. Do not assume that internal reporting, external reporting, or both are required in every situation.

If you experience a sudden change in duties, discipline, threats, or other adverse treatment after raising a concern, record the events accurately. A retaliation claim may involve detailed questions about timing, decision-makers, and the reason given for the employment action. Consult a lawyer promptly about available remedies and any filing deadlines.

What Kinds of Conduct May Be Reportable?

A useful tip identifies specific conduct that may violate the BSA or related requirements. Examples can include:

- A financial institution allegedly failing to maintain an effective AML program or to address known weaknesses.
- Repeated failures to identify, investigate, or report suspicious transactions when reporting obligations may apply.
- Transactions structured or routed to evade recordkeeping, reporting, or customer-identification requirements.
- Employees or managers allegedly directing staff to ignore red flags, suppress escalation, or alter records.
- Use of shell companies, intermediaries, or complex transfers to conceal the source or destination of funds.
- Potential violations involving sanctions or other financial restrictions, where the facts fall within FinCEN's or another authority's jurisdiction.

These are examples, not legal conclusions. A transaction that looks unusual is not necessarily illegal, and a missed alert does not by itself prove a violation. A strong report explains the facts, why they may matter, and what remains uncertain.

How to Prepare a High-Quality Tip

A clear, factual tip is more useful than a long narrative full of conclusions. The following steps can help organize what you know while protecting your rights and other people's information.

1. **Separate direct knowledge from secondhand information**

   For each important point, note whether you personally saw it, participated in a relevant meeting, reviewed a record you were authorized to access, or heard it from someone else. Identify the source of secondhand information where appropriate. Do not turn an inference into a fact.

2. **Build a factual timeline**

   Record dates, locations, business units, people involved, and what happened. If a date is approximate, say so. Note what you observed and what you heard separately. A timeline can help show whether conduct was isolated, repeated, or escalated after concerns were raised.

3. **Describe the suspected conduct specifically**

   Explain what you believe happened, how it may relate to BSA or AML obligations, and what facts support that concern. Avoid overstating intent or claiming that a violation is proven unless an authority has made that determination.

4. **Identify records without mishandling them**

   Make a list of potentially relevant records, such as policies, communications, audit findings, or transaction details, and where they are maintained. Do not access restricted systems, download customer files, or send sensitive material to a personal account without authorization and legal guidance. Ask counsel how to preserve and submit evidence securely.

5. **Use an appropriate reporting channel**

   Review FinCEN's whistleblower program information for current submission instructions. If you are weighing internal and external reporting, or have concerns about confidentiality, consult a lawyer before deciding how to proceed.

6. **Keep a paper trail**

   Maintain a dated, factual record of your own reporting steps, communications with counsel, and any workplace changes. Keep only materials you are authorized to retain. Store notes and documents securely, limit access, and do not include protected customer information in a personal log unless counsel advises you on a lawful, secure method.

Training and Practical Resources

FinCEN's whistleblower page is the primary place to check program information and submission guidance. For broader AML education, ACAMS offers training resources on financial crime compliance and related topics. Its materials can help readers understand AML concepts, but training is not a substitute for legal advice or an official determination that conduct violated the law.

Bottom Line

AMLA 2020 strengthened the BSA whistleblower framework by creating a potentially significant award for qualifying information and adding anti-retaliation protections for protected disclosures. The law did not make awards guaranteed, eliminate the need for reliable evidence, or authorize people to remove confidential records. A well-prepared tip distinguishes firsthand observations from what was heard, provides a careful timeline, and identifies relevant information without overstating the facts.

If you are considering a report, review FinCEN's current program guidance, protect sensitive information, and speak with a qualified whistleblower attorney about eligibility, confidentiality, and deadlines. Keep a paper trail of your steps, and make sure it is stored securely.