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DOJ Antitrust Whistleblower Program Is Off and Running

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The Department of Justice's Antitrust Division has moved at warp speed to deploy its first-ever whistleblower rewards program, marking a significant evolution in the division's longstanding efforts to detect and prosecute criminal cartel conduct. Launched in July 2025 in partnership with the U.S. Postal Service and its Office of Inspector General, the program offers actual financial rewards of 15-30% of qualifying recoveries to individuals who provide information that leads to a criminal antitrust conviction resulting in more than $1 million in fines. Recent developments have highlighted the program's practical enforcement role.

The division issued its first payout under the program in January 2026, announcing a $1 million award to a whistleblower who exposed a bidrigging scheme in online usedcar auctions that prompted the company to enter a deferred prosecution agreement. According to the DOJ, the dealer allegedly conspired with a competitor by placing sham bids, exchanging pricing information, and inflating auction prices. The dealer ultimately agreed to pay a $3.28 million criminal fine and implement remedial measures, including cooperation in ongoing DOJ investigations.

While other federal agencies have historically used financial incentives to expose wrongdoing, this is the first time that a monetary reward has been offered for reporting a criminal antitrust violation. More payouts are expected to come, as the division's leadership has candidly described the program's early successes in generating a steady influx of tips. The division has recently reported receiving whistleblower submissions "on a near daily basis," ranging from broad market observations to detailed accounts of potential cartel activity. Acting Assistant Attorney General Omeed Assefi recently remarked that the division has seen a "frenzy" of individuals seeking to qualify for the program, observing that whistleblowers are becoming a common feature in the arsenal of criminal antitrust investigations.

Although some in the antitrust defense bar have warned that government financial incentives could impact witness testimony, division leadership has dismissed these credibility objections as neither new nor unique to the whistleblower program. Insider accounts have long been central to uncovering and prosecuting cartel conduct, and the program, in the division's view, merely formalizes incentives that have already existed. Acting Deputy Assistant Attorney General Dan Glad underscored the point, noting that despite the financial upside, whistleblowers are "putting a target on their back" and "risking their careers, their relationships, and potentially their safety by coming forward."

Still, the new program's incentives for insider reporting markedly improve the DOJ's ability to detect and investigate antitrust violations, raising the odds that wrongdoing will surface. Because cartel conduct is often hard to uncover without cooperation from those involved, the whistleblower rewards program serves as a critical tool for surfacing nonpublic evidence. By incentivizing employees at every level of an organization—not just senior executives—the program broadens the pool of potential informants to include individuals who witness, facilitate, or are otherwise positioned to observe the operational details of suspected misconduct. As a result, prosecutors could gain access to a wider and more granular set of facts than traditional collateral investigative methods typically yield.

Building on the program's new evidentiary pipeline, division leadership has emphasized that the program should impact reporting incentives inside companies. Assefi has noted that the whistleblower program accelerates the traditional "race to report," emphasizing that employees may now attempt to "beat their companies to the division's doorstep." For years, the corporate leniency policy has been the primary avenue for organizations to selfreport antitrust violations, even as its more recent effectiveness has been the subject of debate. The introduction of financial incentives for individual whistleblowers, however, may have changed the calculus by creating a parallel path to disclosure that can outpace a company's internal response.

This dynamic raises the compliance stakes for companies: if an employee reports misconduct to the government before the organization does, the firm may lose its chance to obtain leniency, thereby increasing both enforcement risk and potential liability. Even so, the division has stressed that this framework is not intended to pit employees against employers. A key feature of the whistleblower rewards program is that an employee who initially reports concerns internally can still receive whistleblower credit if the company subsequently self-discloses the conduct to the DOJ. In practice, this creates a pathway where the employee preserves the benefits of reporting, while the company still maintains eligibility for leniency under the DOJ's Corporate Leniency Policy—so long as it promptly investigates employee-raised allegations and discloses them to enforcement authorities before another source does.

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The early momentum behind the DOJ's antitrust whistleblower program suggests a shift in enforcement dynamics and highlights the need for companies to reevaluate how they detect, escalate and address potential antitrust risks. While the program unquestionably increases potential exposure, it also provides an opportunity for companies to strengthen internal systems in ways that mitigate both legal and reputational harm. With the "race to report" now accelerated, organizations must ensure that their compliance and investigative functions are aligned with current enforcement expectations. In particular, the ability to evaluate allegations promptly—supported by credible reporting channels and efficient investigative procedures—will be critical. Stay tuned.

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