

Banking and Finance Law Daily Wrap Up, CRIMES AND OFFENSES— FinCEN targets ‘cross-border funds transfers involving illegal aliens’, (Dec. 1, 2025)

Banking and Finance Law Daily Wrap Up

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FinCEN said its action is “part of Treasury’s effort to prevent the exploitation of the U.S. financial system by illegal aliens in the United States seeking to move illicitly obtained funds.”

The Financial Crimes Enforcement Network has issued an alert “to urge money services businesses (MSBs) to be vigilant in detecting, identifying, and reporting suspicious activity connected to cross-border funds transfers involving illegal aliens, i.e., individuals without legal status in the United States” ([FIN-2025-Alert003](#)). According to FinCEN, the Alert is in accord with Executive Order 14159, Protecting the American People Against Invasion.

“Money services businesses should be vigilant in identifying suspicious financial activity involving illegal aliens who present significant threats to national security and public safety,” said Under Secretary for Terrorism and Financial Intelligence John K. Hurley in an accompanying [release](#). “At Treasury, we will continue to protect the American people by faithfully upholding the laws of the United States.”

MSBs must generally file a suspicious activity report (SAR) for transactions involving at least \$2,000 if the MSBs know, suspect, or have reason to suspect the transaction is relevant to a possible violation of law or regulation. This SAR filing requirement includes the cross-border transfer of funds resulting from unlawful employment or from funds the MSB knows, suspects, or has reason to suspect were unlawfully obtained in the United States by illegal aliens, the Alert said. MSBs reporting a possible violation of law or regulation connected to cross-border transfers of funds by illegal aliens, should reference the Alert by including FIN-2025-Alert003 in SAR field 2 and the narrative, FinCEN advised.

The alert noted that “‘illegal aliens’ does not include: (1) U.S. citizens or nationals; (2) lawful permanent residents of the United States; (3) aliens whose presence in the United States is authorized by a visa or other permission to legally enter and remain in the United States and have not exceeded their authorization to remain in the United States; or (4) aliens whose employment in the United States is authorized by statute or regulation or who are otherwise specifically authorized to be employed in the United States.”

RegulatoryActivity: BankSecrecyAct ChecksElectronicTransfers CrimesOffenses FinancialIntermediaries