

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3884

To establish a Fund to provide grants to businesses affected by Federal immigration enforcement, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2026

Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

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## A BILL

To establish a Fund to provide grants to businesses affected by Federal immigration enforcement, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business ICE  
5 Disruption Fund Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) ADMINISTRATOR.—The term “Adminis-  
9 trator” means the Administrator of the Small Busi-  
10 ness Administration.

1           (2) ELIGIBLE ENTITY.—The term “eligible enti-  
2           ty”—

3                   (A) means a small business concern that—

4                           (i) is located in an area in which a  
5                           Federal immigration enforcement action  
6                           has taken place within the last year; and

7                           (ii) can demonstrate an immigration  
8                           enforcement-related revenue loss of not less  
9                           than 25 percent caused by disruptions re-  
10                           sulting from such immigration enforcement  
11                           action; and

12                   (B) does not include a small business con-  
13                   cern that—

14                           (i) as of the date of enactment of this  
15                           Act, owns or operates (together with any  
16                           affiliated businesses) more than 15 loca-  
17                           tions, regardless of whether those locations  
18                           do business under the same or multiple  
19                           names; or

20                           (ii) is a publicly traded company.

21           (3) FUND.—The term “Fund” means the Small  
22           Business ICE Disruption Fund established under  
23           section 3.

24           (4) IMMIGRATION ENFORCEMENT-RELATED  
25           REVENUE LOSS.—The term “immigration enforce-

1       ment-related revenue loss” means, with respect to an  
2       eligible entity, the gross receipts, as established  
3       using such verification documentation as the Admin-  
4       istrator may require, of the eligible entity during the  
5       period during which the Federal immigration action  
6       affected business, subtracted from the gross receipts  
7       of the eligible entity during a comparable period of  
8       business as determined by the Administrator, if such  
9       sum is greater than zero.

10           (5) SMALL BUSINESS CONCERN.—The term  
11       “small business concern” has the meaning given the  
12       term in section 3 of the Small Business Act (15  
13       U.S.C. 632).

14       **SEC. 3. SMALL BUSINESS ICE DISRUPTION FUND.**

15           (a) IN GENERAL.—There is established a fund to be  
16       known as the Small Business ICE Disruption Fund.

17           (b) APPROPRIATIONS.—There is appropriated to the  
18       Fund for fiscal year 2026, out of amounts in the Treasury  
19       not otherwise appropriated, \$200,000,000, to remain  
20       available until expended.

21           (c) USE OF FUNDS.—

22           (1) IN GENERAL.—The Administrator may use  
23       amounts in the Fund to make grants to any eligible  
24       entity that makes the certification required under  
25       subsection (d)(1).

1           (2) AWARDS.—In general, the Administrator  
2 shall award grants to eligible entities in the order in  
3 which applications are received by the Adminis-  
4 trator.

5           (d) APPLICATION.—

6           (1) CERTIFICATION.—An eligible entity apply-  
7 ing for a grant under this section shall make a good  
8 faith certification to the Administrator that—

9                   (A) losses incurred resulted from interrup-  
10 tions caused by a Federal immigration enforce-  
11 ment action; and

12                   (B) the eligible entity has not received  
13 compensation to make up from such losses from  
14 any other source.

15           (2) BUSINESS IDENTIFIERS.—In accepting ap-  
16 plications for grants under this section, the Adminis-  
17 trator shall implement fraud checks, including—

18                   (A) requiring applicants to provide a busi-  
19 ness identifier, such as an Employee Identifica-  
20 tion Number or Social Security Number;

21                   (B) verifying the tax returns of an appli-  
22 cant to confirm prior income; and

23                   (C) cross-checking applicant information  
24 against existing government databases to en-

1           sure that individuals or businesses convicted of  
2           fraud do not receive grants.

3           (e) GRANT AMOUNT.—

4           (1) AGGREGATE MAXIMUM AMOUNT.—The ag-  
5           gregate amount of grants made to an eligible entity  
6           and any affiliated business of the eligible entity  
7           under this section—

8                   (A) shall not exceed \$1,000,000; and

9                   (B) shall be limited to \$500,000 per phys-  
10           ical location of the eligible entity.

11           (2) DETERMINATION OF GRANT AMOUNT.—The  
12           amount of a grant made to an eligible entity under  
13           this subsection shall be equal to the immigration en-  
14           forcement-related revenue loss by the eligible entity.

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