



117TH CONGRESS
1ST SESSION

S. _____

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide certain employment rights to reservists of the Federal Emergency Management Agency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. PETERS (for himself and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide certain employment rights to reservists of the Federal Emergency Management Agency, 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 “Civilian Reservist
5 Emergency Workforce Act of 2021” or the “CREW Act”.

1 **SEC. 2. PERSONNEL PERFORMING SERVICE RESPONDING**
2 **TO PRESIDENTIALLY DECLARED MAJOR DIS-**
3 **ASTERS AND EMERGENCIES.**

4 Section 306 of the Robert T. Stafford Disaster Relief
5 and Emergency Assistance Act (42 U.S.C. 5149) is
6 amended by adding at the end the following:

7 “(d) **PERSONNEL PERFORMING SERVICE RESPOND-**
8 **ING TO DISASTERS AND EMERGENCIES.—**

9 “(1) **USERRA EMPLOYMENT AND REEMPLOY-**
10 **MENT RIGHTS.—**The Administrator shall, in a man-
11 ner similar to the program described in chapter 43
12 of title 38, United States Code, afford protections,
13 rights, benefits, and obligations to intermittent per-
14 sonnel appointed pursuant to subsection (b)(1) to
15 perform service to the Federal Emergency Manage-
16 ment Agency under sections 401 and 501 or to train
17 for such service.

18 “(2) **NOTICE OF ABSENCE FROM POSITION OF**
19 **EMPLOYMENT.—**Preclusion of giving notice of serv-
20 ice by necessity of service under subsection (b)(1) to
21 perform service to the Federal Emergency Manage-
22 ment Agency under sections 401 and 501 or to train
23 for such service shall be considered preclusion by
24 ‘military necessity’ for purposes the protections,
25 rights, benefits, and obligations afforded under para-
26 graph (1) pertaining to giving notice of absence from

1 a position of employment. A determination of such
2 necessity shall be made by the Administrator and
3 shall not be subject to review in any judicial or ad-
4 ministrative proceeding.”.