

118TH CONGRESS
1ST SESSION

H. R. 3400

To amend the National Labor Relations Act to adjust the dollar thresholds for National Labor Relations Board jurisdiction over certain labor disputes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2023

Mr. GOOD of Virginia (for himself, Mr. PERRY, Mr. MOOLENAAR, Mrs. MILLER of Illinois, Mr. TIFFANY, Mr. DUNCAN, Mr. BURLISON, Mr. WEBER of Texas, Mr. C. SCOTT FRANKLIN of Florida, Mrs. LUNA, Mr. CLYDE, Mr. NORMAN, Ms. VAN DUYN, Mr. BABIN, Mr. COLE, Mr. ESTES, and Mr. CLINE) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the National Labor Relations Act to adjust the dollar thresholds for National Labor Relations Board jurisdiction over certain labor disputes, 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 Businesses be-
5 fore Bureaucrats Act”.

1 **SEC. 2. INCREASE OF DOLLAR THRESHOLD FOR NATIONAL**
2 **LABOR RELATIONS BOARD JURISDICTION**
3 **OVER CERTAIN LABOR DISPUTES.**

4 (a) IN GENERAL.—Section 14(c) of the National
5 Labor Relations Act (29 U.S.C. 164(c)) is amended—

6 (1) by redesignating paragraph (2) as para-
7 graph (3); and

8 (2) by inserting after paragraph (1) the fol-
9 lowing:

10 “(2) In establishing by rule any dollar threshold with
11 respect to a class or category of employers for the pur-
12 poses of declining to assert jurisdiction over certain labor
13 disputes involving such class or category of employers, the
14 Board shall establish such dollar threshold at an
15 amount—

16 “(A) for calendar year 2023, equal to the prod-
17 uct of—

18 “(i) the dollar threshold applicable to such
19 class or category as of the day prior to the date
20 of enactment of this paragraph, multiplied by

21 “(ii) ten; and

22 “(B) for any calendar year after 2023, equal to
23 the product of—

24 “(i) the dollar threshold applicable to such
25 class or category for calendar year 2023 (after

1 the date of enactment of this paragraph), multi-
2 plied by

3 “(ii) the quotient obtained by dividing—

4 “(I) the Personal Consumption Ex-
5 penditure Per Capita Index (as published
6 by the Bureau of Economic Analysis) for
7 such calendar year after 2023; by

8 “(II) the Personal Consumption Ex-
9 penditure Per Capita Index for calendar
10 year 2023.”.

11 (b) PERSONAL CONSUMPTION EXPENDITURE PER
12 CAPITA INDEX.—The Bureau of Economic Analysis of the
13 Department of Commerce shall prepare and publish an
14 index reflecting expenditures for personal consumption by
15 Americans on a per capita basis for each year, beginning
16 calendar year 2024, and such index shall be known as the
17 “Personal Consumption Expenditure Per Capita Index”.

18 (c) EFFECTIVE DATE.—The amendments made by
19 this section shall apply to any decision of the National
20 Labor Relations Board relating to the assertion of its ju-
21 risdiction over a labor dispute made after the date of en-
22 actment of this section.

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