

# Union Calendar No. 281

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

# H. R. 3400

**[Report No. 118-343]**

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.

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## 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. SCOTT FRANKLIN of Florida, Mrs. LUNA, Mr. CLYDE, Mr. NORMAN, Ms. VAN DUYNE, Mr. BABIN, Mr. COLE, Mr. ESTES, and Mr. CLINE) introduced the following bill; which was referred to the Committee on Education and the Workforce

JANUARY 11, 2024

Additional sponsor: Mrs. HOUCHIN

JANUARY 11, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 17, 2023]

# **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 before*  
5 *Bureaucrats Act”.*

6 **SEC. 2. INCREASE OF DOLLAR THRESHOLD FOR NATIONAL**  
7 **LABOR RELATIONS BOARD JURISDICTION**  
8 **OVER CERTAIN LABOR DISPUTES.**

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

11 *(1) by redesignating paragraph (2) as para-*  
12 *graph (3); and*

13 *(2) by inserting after paragraph (1) the fol-*  
14 *lowing:*

15 *“(2) In establishing by rule any dollar threshold with*  
16 *respect to a class or category of employers for the purposes*  
17 *of declining to assert jurisdiction over certain labor disputes*  
18 *involving such class or category of employers, the Board*  
19 *shall establish such dollar threshold at an amount—*

20 *“(A) for calendar year 2024, equal to the product*  
21 *of—*

22 *“(i) the dollar threshold applicable to such*  
23 *class or category as of the day prior to the date*  
24 *of enactment of this paragraph, multiplied by*

25 *“(ii) ten; and*

1           “(B) for any calendar year after 2024, equal to  
2           the product of—

3                   “(i) the dollar threshold applicable to such  
4                   class or category for calendar year 2024 (after  
5                   the date of enactment of this paragraph), multi-  
6                   plied by

7                           “(ii) the quotient obtained by dividing—

8                                   “(I) the Personal Consumption Ex-  
9                                   penditure Per Capita Index (as published  
10                                  by the Bureau of Economic Analysis) for  
11                                  such calendar year after 2024; by

12   “(II) the Personal Consumption Ex-  
13    penditure Per Capita Index for calendar  
14    year 2024.”.

15           (b) *PERSONAL CONSUMPTION EXPENDITURE PER CAP-*  
16 *ITA INDEX.*—The Bureau of Economic Analysis of the De-  
17 *partment of Commerce shall prepare and publish an index*  
18 *reflecting expenditures for personal consumption by Ameri-*  
19 *cans on a per capita basis for each year, beginning calendar*  
20 *year 2025, and such index shall be known as the “Personal*  
21 *Consumption Expenditure Per Capita Index”.*

22           (c) *EFFECTIVE DATE.*—The amendments made by this  
23 *section shall apply to any decision of the National Labor*  
24 *Relations Board relating to the assertion of its jurisdiction*

- 1 *over a labor dispute made after the date of enactment of*
- 2 *this section.*

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