

Contractor Compensation Cap for Contracts Awarded on or after June 24, 2014

Section 702 of the Bipartisan Budget Act of 2013 (BBA; Pub. L. 113-67, December 26, 2013) established a \$487,000 cap on the reimbursement of compensation costs for contractor employees, adjusted annually to reflect the change in the Employment Cost Index for all workers as calculated by the Bureau of Labor Statistics (BLS). The BBA cap is codified statute ([10 U.S.C. 2324\(e\)\(1\)\(P\)](#) and [41 U.S.C. 4304\(a\)\(16\)](#)). See the table below for adjusted cap amounts for costs incurred in 2015 and subsequent years.

Compensation Cap Amounts for Contracts Awarded on or after June 24, 2014¹

For Costs Incurred	Cap Amount ¹
1/1/2018 - 12/31/2018	\$525,000 ²
1/1/2017 - 12/31/2017	\$512,000 ³
1/1/2016 - 12/31/2016	\$500,000 ⁴
6/24/2014 - 12/31/2015	\$487,000

¹ Current FY Cap Amount = Prior FY Cap Amount x Change in Employment Cost Index for all workers [i.e., BLS Table 4. Compensation (Not Seasonally Adjusted) Employment Cost Index for total compensation, for civilian workers, by occupational group and industry. (Twelve Months Ended September 30)]. Source: <https://www.bls.gov/web/eci/ecicois.pdf>

² 2018: \$512,000 x (130.7/127.5), rounded to the nearest thousand

³ 2017: \$500,000 x (127.5/124.6), rounded to the nearest thousand

⁴ 2016: \$487,000 x (124.6/121.4), rounded to the nearest thousand

The BBA cap:

- replaces the statutory formula cap established by 41 USC 1127 for contracts awarded as of June 24, 2014; and
- limits the reimbursement of compensation costs for all contractor employees on all contracts awarded by all executive agencies of the Government.

Section 702 provides for a waiver of the BBA cap amount by the head of an executive agency. One or more narrowly targeted exceptions for scientists, engineers, or other specialists may be established upon a determination that such exceptions are need to ensure that the executive agency has continued access to needed skills and capabilities. The Director of the Office of Management and Budget is required to report to Congress on any waivers of the BBA cap amounts that are in effect for the fiscal year.