NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

DEE MONBO,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2025-2027

Appeal from the United States Court of Federal Claims in No. 1:24-cv-02139-KCD, Judge Kathryn C. Davis.

Decided: September 15, 2026

DEE MONBO, Owings Mills, MD, pro se.

MATTHEW LEWIS, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, for defendant-appellee. Also represented by PATRICIA M. MCCARTHY, DOUGLAS K. MICKLE, BRETT SHUMATE.

Before LOURIE, STOLL, and STARK, *Circuit Judges*.

LOURIE, *Circuit Judge*.

Dee Monbo appeals from a final decision of the United States Court of Federal Claims ("the Claims Court") dismissing her complaint for, *inter alia*, lack of subject matter jurisdiction. *Monbo v. United States*, No. 24-CV-2139, 2025 WL 1683638 (Fed. Cl. June 16, 2025) ("*Decision*"). For the following reasons, we *affirm*.

BACKGROUND

Monbo, proceeding pro se but on behalf of the Monbo Group International ("Monbo Group"), brought a bid protest in the Claims Court challenging a Federal Aviation Administration ("FAA" or "the Agency") decision to cancel a procurement solicitation. *Decision*, 2025 WL 1683638, at *1.

Monbo alleged that the FAA had issued a Request for Proposal 6973GH-23-R-00147 (the "solicitation") relating to a proposed contract for financial services for which she submitted a "joint proposal with Monbo Group International." *Id.* She also alleged that the joint proposal was "the lowest priced proposal (*i.e.*, the winning bid)," but that it failed to result in an award because "the Agency improperly canceled the solicitation." *Id.* (quoting ECF No. 8 ¶¶ 18–19 (cleaned up)). Monbo further alleged that such regulatory violation prejudiced her and Monbo Group because in her estimation they would have won the contract but for the improper cancellation. *Id.*

The Claims Court determined it lacked subject matter jurisdiction over Monbo's bid protest claim because Congress established a comprehensive administrative scheme governing FAA procurements that channels bid protests exclusively to FAA's Office of Dispute Resolution for Acquisition ("ODRA"), with judicial review available only in the appropriate court of appeals. *Id.* at *3–5 (citing *Vereda, Ltda. v. United States*, 271 F.3d 1367, 1375 (Fed. Cir. 2001); 49 U.S.C. §§ 40110(d)(4), 46110(a); 14 C.F.R.

§ 17.3(q)). The Claims Court also rejected Monbo's argument that a prior district court decision involving an Air Force procurement supported jurisdiction here because Air Force procurements and FAA procurements are subject to different statutory and jurisdictional frameworks. *See id.* at *4 (citing *Monbo v. United States*, No. CV 23-2425 (JEB), 2023 WL 8354885, at *3 (D.D.C. Dec. 1, 2023)). The Claims Court therefore dismissed the complaint for lack of subject matter jurisdiction under Rule 12(b)(1) of the Rules of the United States Court of Federal Claims. *Id.* at *5.

Monbo timely appealed. We have jurisdiction under 28 U.S.C. § 1295(a)(3).

DISCUSSION

Monbo argues that the Claims Court erred in dismissing her complaint for lack of subject matter jurisdiction. Monbo Br. 6. We disagree. We see no error in the Claims Court's dismissal.

We review dismissals for lack of subject matter from the Claims Court *de novo*. *Res. Conservation Grp., LLC v. United States*, 597 F.3d 1238, 1242 (Fed. Cir. 2010). And while we give pro se litigants more latitude in their pleadings than a party represented by counsel, *see Roman v. United States*, 61 F.4th 1366, 1370 (Fed. Cir. 2023) (citing *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)), such leniency does not relieve a litigant of jurisdictional requirements, *Kelley v. Sec'y, U.S. Dep't of Lab.*, 812 F.2d 1378, 1380 (Fed. Cir. 1987). Moreover, Monbo, as the plaintiff, "bears the burden of establishing jurisdiction by a preponderance of the evidence." *Roman*, 61 F.4th at 1370 (citation omitted).

We find no error in the Claims Court's dismissal for lack of subject matter jurisdiction. Congress displaced what would otherwise have been the Claims Court's Tucker Act jurisdiction over FAA procurement bid protests by establishing an exclusive administrative review scheme through ODRA. *See* 49 U.S.C. § 40110(d)(1) (authorizing

the FAA to create an acquisition management system, including an administrative resolution process for bid protests); 49 U.S.C. § 46110(d)(5) (directing that bid protests be adjudicated through ODRA); *see also* 14 C.F.R. § 17.3(q) ("ODRA is the FAA's exclusive forum acting on behalf of the Administrator, pursuant to the statutory authority granted by [49 U.S.C. § 40110(d)], to provide dispute resolution services and to adjudicate matters within its jurisdiction."). Because Congress created "a specific and comprehensive scheme for administrative and judicial review" of FAA bid protests through ODRA, "the [Claims Court's] Tucker Act jurisdiction . . . is preempted" in such cases. *See Vereda*, 271 F.3d at 1375.

Accordingly, because it is undisputed that Monbo challenged an FAA procurement solicitation cancellation, her bid protest falls within the exclusive administrative review scheme Congress established for such procurement solicitations—ODRA. Indeed, the solicitation at issue here specifically incorporated the FAA's implementing regulations discussed above, placing prospective bidders on notice that any protest would have to be brought before ODRA. *See Decision*, 2025 WL 1683638, at *4. We therefore conclude that subject matter jurisdiction lies with ODRA, not the Claims Court, and that the Claims Court properly dismissed Monbo's complaint for lack of subject matter jurisdiction.

Monbo's argument on appeal is misplaced. She relies on a prior decision of the United States District Court for the District of Columbia, which concluded that "if Monbo's suit belongs in any federal court, it belongs in the Court of Federal Claims." *See* Monbo Br. 4–6 (quoting *Monbo*, 2023 WL 8354885, at *3). But that case is inapposite because it involved an Air Force procurement bid protest, not an FAA procurement bid protest. *See Monbo*, 2023 WL 8354885, at *1. The Air Force is an agency under the Department of Defense. Unlike FAA procurements, Department of Defense procurements are governed by the Tucker

Act's bid protest jurisdiction and are not subject to ODRA's exclusive administrative review scheme. *See id.* at *2 (citing 28 U.S.C. § 1491(b)(1)). Accordingly, the district court in that case held only that it lacked jurisdiction over a bid protest challenging an Air Force procurement, which it explained may fall within the Claims Court's jurisdiction, if anywhere. *Id.* at *3. The district court therefore had no occasion to consider whether Congress had displaced that jurisdiction by establishing an exclusive administrative review process for FAA procurements as was required here.

In sum, we conclude that the Claims Court did not err in dismissing Monbo's complaint for lack of subject matter jurisdiction.

CONCLUSION

We have considered Monbo's remaining arguments but find them unpersuasive. For the foregoing reasons, we *affirm*.

AFFIRMED