



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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February 12, 2024

CBCA 7936-TRAV

In the Matter of GENA S.

Gena S., Claimant.

Barbara H. Cioffi, General Law Unit, United States Postal Service, St. Louis, MO,  
appearing for United States Postal Service.

**SULLIVAN**, Board Judge.

Claimant, an employee of the United States Postal Service (USPS), seeks review of the denial of her request for reimbursement of car rental expenses. Because we lack authority to adjudicate claims for travel benefits from USPS employees, we dismiss the claim.

Background

Claimant rented a car to attend mandatory training in September and October 2023. USPS denied her request for reimbursement of the rental expenses because the car rental had not been authorized in advance, as required by USPS policy.

Discussion

Pursuant to statute, federal agency employees are entitled to “reimbursement for the actual and necessary expenses of official travel.” 5 U.S.C. § 5702 (a)(1)(B) (2018). The Administrator of General Services is authorized to “settle claims involving expenses incurred by Federal civilian employees for official travel and transportation.” 31 U.S.C. § 3702(a)(3). The Administrator has delegated this authority to the Civilian Board of Contract Appeals. *Roy L. Edgar*, CBCA 1985-RELO, 11-1 BCA ¶ 34,702, at 170,893.

Claimant, however, is not a federal agency employee because USPS is not an “agency” within the scope of this statutory scheme. *Darrel D. Haworth*, B-208613 (Nov. 2, 1982). An “agency” is defined as “an Executive agency,” “a military department,” “an office, agency, or other establishment in the legislative branch,” “an office, agency, or other establishment of the judicial branch,” and “the government of the District of Columbia.” 5 U.S.C. § 5701 (1), Definitions. An “Executive agency” is “an Executive department, a Government corporation, and an independent establishment.” *Id.* § 105. USPS is not an executive department, *id.* § 101, and is specifically excluded from the definition of an independent establishment. *Id.* § 104. Moreover, Congress has decreed that USPS is not subject to federal laws applicable to federal employees. 39 U.S.C. § 410(a). And, 5 U.S.C. § 5702 is not among the limited number of statutes to which USPS is subject. *Id.* § 410(b).<sup>1</sup>

Because USPS is not subject to the travel regulations promulgated for executive agency employees, the Board has no authority to decide the claim for reimbursement.

### Decision

The claim is dismissed.

*Marian E. Sullivan*

MARIAN E. SULLIVAN  
Board Judge

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<sup>1</sup> Claimant notes that the Contract Disputes Act (CDA), 41 U.S.C. §§ 7101-7109, has been adopted by USPS through regulation. Claimant’s claim does not arise pursuant to the CDA, and contract appeals of USPS disputes are heard by the Postal Service Board of Contract Appeals.