

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NATIONAL TREASURY EMPLOYEES
UNION (NTEU),

Petitioner,

v.

FEDERAL LABOR RELATIONS
AUTHORITY,

Respondent,

and

UNITED STATES CUSTOMS AND
BORDER PROTECTION, UNITED
STATES DEPARTMENT OF HOMELAND
SECURITY,

Intervenor.

No. 05-76783

FLRA Nos.
SF-CA-02-0003
SF-CA-02-0060
SF-CA-03-0183

OPINION

On Petition for Review of an Order of the
Federal Labor Relations Authority

Argued and Submitted
December 5, 2007—San Francisco, California

Filed December 19, 2007

Before: Alex Kozinski, Chief Judge, Robert E. Cowen* and
Michael Daly Hawkins, Circuit Judges.

Per Curiam Opinion

*The Honorable Robert E. Cowen, Senior United States Circuit Judge
for the Third Circuit, sitting by designation.

COUNSEL

Robert H. Shriver, III; Gregory O'Duden, General Counsel; Elaine Kaplan, Senior Deputy General Counsel; Larry J. Adkins, Deputy General Counsel; Julie M. Wilson, Assistant Counsel, National Treasury Employees Union, Washington, DC, for the petitioner.

James F. Blandford; William R. Tobey, Acting Solicitor, Federal Labor Relations Authority, Washington, DC, for the respondent.

Howard S. Scher; Peter D. Keisler, Assistant Attorney General; William Kanter, Department of Justice, Civil Division, Appellate Staff, Washington, DC; James N. DeStefano, Associate Chief Counsel; David Goldfarb, Assistant Chief Counsel; Caroline M. Blessey, Assistant Chief Counsel, United States Customs and Border Protection, United States Department of Homeland Security, Washington, DC, for the intervenor.

OPINION

PER CURIAM:

We deny the petition for review for the reasons given by the D.C. Circuit in *National Treasury Employees Union v.*

Federal Labor Relations Authority, 453 F.3d 506, 511-12 (D.C. Cir. 2006), whose rationale we adopt as our own.

PETITION DENIED.