Clerk of the House of Representatives	Secretary of the Senate
Legislative Resource Center	Office of Public Records
B-106 Cannon Building	232 Hart Building
Washington, DC 20515	Washington, DC 20510

Secretary of the Senate
Received: Feb 14, 2006

LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5) - **All Filers Are Required To Complete This Page**

1. Registrant Name:

EARTHJUSTICE LEGAL DEFENSE FUND

2. Address:
1625 MASSACHUSETTS AVE., NW SUITE 702, WASHINGTON, DC 20036

3. Principal place of business (if different from line 2):
Country City: State/Zip(or Country):

4. Contact Name: MARTIN B. HAYDEN
Telephone: 202-667-4500
E-mail (optional): Mhayden@earthjustice.org

Senate ID #: 12972-12
House ID #: 30809000

7. Client Name: ☒ Self

TYPE OF REPORT

8. Year 2005 Midyear (January 1 - June 30): ☐ **OR** Year End (July 1 - December 31): ☒

9. Check if this filing amends a previously filed version of this report: ☐

10. Check if this is a Termination Report: ☐ => Termination Date: 11. No Lobbying Activity: ☐

INCOME OR EXPENSES

Complete Either Line 12 **OR** Line 13

12. Lobbying Firms

INCOME relating to lobbying activities for this reporting period was:

Less than $10,000: ☐

$10,000 or more: ☐ => Income (nearest $20,000):_____

Provide a good faith estimate, rounded to the nearest $20,000, of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).

13. Organizations

EXPENSES relating to lobbying activities for this reporting period were:

Less than $10,000: ☐

$10,000 or more: ☒ => Expenses (nearest $20,000): 460,000.00

14. Reporting Method.
Check box to indicate expense accounting method. See instructions for description of options.

☐ **Method A.** Reporting amounts using LDA definitions only
☒ **Method B.** Reporting amounts under section 6033(b)(8) of the Internal Revenue Code
☐ **Method C.** Reporting amounts under section 162(e) of the Internal Revenue Code

LOBBYING ACTIVITY.

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: ANI (one per page)

16. Specific lobbying issues:

LEGISLATION: H.R. 4818 Consolidated Appropriations for FY 2005 H.R. 1837 To amend the Endangered Species Act of 1973 to establish limitations on the designation of critical habitat, and for other purposes. H.R. 1299 Critical Habitat Enhancement Act of 2005 H.R. 2361 Department of Interior and Related Agencies Appropriations Act, 2006S.RES.219.IS Designating March 8, 2006, as 'Endangered Species Day', and encouraging the people of the United States to become educated about, and aware of, threats to species, success stories in... H R 3110 To amend the Endangered Species Act of 1973 to provide for treatment of distinct population segments of the Eastern oyster as separate species. H. R. 1615 Salmon Planning Act HR 3824 Threatened and Endangered Species Recovery Act of 2005 S 2110 Collaboration for the Recovery of Endangered Species Act: To amend the Endangered Species Act of 1973 to enhance the role of states in the recovery of endangered species and threatened species. To implement a species conservation recovery system , to establish certain recovery programs etc. S Res. 219 Designating March 8, 2006 as Endangered Species Day RULEMAKINGS: USDOI-DOC; Final Rule; Joint Counterpart Endangered Species Act Section 7 Consultation Regulations; December 8, 2003 at 68 FR 68254 USFWS DOI; NMFS DOC; Final Rule; Joint Counterpart Endangered Species Act Section 7 Consultation Regulations, August 5,2004, 69 FR 47732 NMFS NOAA DOC 50 CFR Part 226 Proposed Rule Endangered and Threatened Species; Designation of Critical Habitat for 13 Evolutionarily Significant Units of Pacific Salmon (Oncorhynchus spp.) and Steelhead (O. mykiss) in Washington, Oregon, and Idaho; Dec 14 2004 NOAA; DOC; Final Salmon Hatchery Policy; June 16,2005 USDOI; 50 CFR Part 17 Proposed Rule Endangered the Threatened Wildlife and Plants; Designating the Great Yellowstone Population of Grizzly Bears as a Distinct Population Segment: Removing the Yellowstone Distinct Population Segment of Grizzly Bears from the Federal List of Endangered the Threatened Wildlife; November 17, 2005

17. House(s) of Congress and Federal agencies contacted:
United States House of Representatives; United States Senate; US Department of Interior; US Department of Commerce; US Department of Defense; Council on Environmental Quality; US Fish and Wildlife Service

18. Name of each individual who acted as a lobbyist in this issue area:

Name: HAYDEN, MARTIN
Covered Official Position (if applicable): VICE PRESIDENT FOR POLICY AND LEGISLATION
Name: HOLMES, SUSAN
Covered Official Position (if applicable): SENIOR LEGISLATIVE REPRESENTATIVE
Name: NIXON, JENNIFER
Covered Official Position (if applicable): RESEARCH ASSOCIATE
Name: SUGAMELI, GLENN
Covered Official Position (if applicable): SENIOR JUDICIAL COUNSEL
Name: TUCKER, SARA
Covered Official Position (if applicable): LEGISLATIVE ASSOCIATE
Name: WILHOITE, SARAH
Covered Official Position (if applicable): LEGISLATIVE ASSOCIATE

19. Interest of each foreign entity in the specific issues listed on line 16 above.**None**

LOBBYING ACTIVITY.

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: CAW (one per page)

16. Specific lobbying issues:

LEGISLATION: S. 912 Clean Water Authority Restoration Act of 2005. H.R. 1356 Clean Water Authority Restoration Act of 2005. H.R. 2719 Clean Water Protection Act. S. Res. 261 The crisis of Hurricane Katrina should not be used to weaken Federal public health, environmental, and environmental justice laws and regulations (Sept. 29, 2005).H. Res. 477 The sense of the House of Representatives that the crisis of Hurricane Katrina should not be used to weaken Federal public health, environmental, and environmental justice laws and regulations (Sept. 29, 2005). S. 1836 Gulf Coast Infrastructure Redevelopment and Recovery Act of 2005. S. 1761 Gulf Coast Recovery Act. S. 1765 Louisiana Katrina Reconstruction Act. S. 1766 Louisiana Katrina Reconstruction Act. H.R 3958 Louisiana Katrina Reconstruction Act. S. 753 Corps of Engineers Modernization and Improvement Act of 2005. H.R. 2864 The Water Resources Development Act (WRDA) of 2005. S. 728 The Water Resources Development Act (WRDA) of 2005. S. 1269 Pest Management and Fire Suppression Flexibility Act. H.R. 1749 Pest Management and Fire Suppression Flexibility Act. S. 131 Clear Skies Act of 2005. H.R. 6 Energy Policy Act of 2005. H.R. 1640 Energy Policy Act of 2005. S. 10 Energy Policy Act of 2005. S. 726 Natural Gas Price Reduction Act of 2005. H.R. 2361 Department of the Interior, Environment, and Related Agencies Appropriations Act, FY 2006. H.R. 2419 Energy and Water Appropriations Act, FY 2006. H.R. 3 Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005. S. 1772 Gas Petroleum Refiner Improvement & Community Empowerment Act (Gas PRICE Act). H.R 3893 Gasoline for America's Security Act of 2005. H.R. 1648 Requiring Executive Order 12898 to remain in force until changed by law, expand the definition of environmental justice, direct Federal agencies to establish an Environmental Justice Office, and other purposes. H.R. 4541 Clean Lakes, Estuaries, and Rivers Act of 2005. S. 363 Ballast Water Management Act of 2005. S. 770 National Aquatic Invasive Species Act of 2005. S. 1110 Engine Coolant and Antifreeze Bittering Agent Act of 2005. H. 2567 Antifreeze Bittering Act of 2005. S.J. Res. 20 Disapproving a rule promulgated by the Administrator of the Environmental Protection Agency to delist coal and oil-direct utility units from the source category list under the Clean Air Act. RULEMAKINGS: Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure Plan Requirements|Amendments; Environmental Protection Agency, Proposed rule, 70 Fed. Reg. 73523 (Dec. 12, 2005). Oil Pollution Prevention; Non-Transportation Related Onshore Facilities; Environmental Protection Agency, Proposed rule, 70 Fed. Reg. 73517 (Dec. 12, 2005). National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry, Proposed Rule, 70 Fed. Reg. 72330 (Dec. 2, 2005). Revision of December 2000 Regulatory Finding on the Emissions of Hazardous Air Pollutants From Electric Utility Steam Generating Units and the Removal of Coal- and Oil-Fired Electric Utility Steam Generating Units From the Section 112(c) List (March 29, 2005). Application of Pesticides to Waters of the United States in Compliance With FIFRA; Proposed rulemaking and notice of interpretive statement; 70 Fed. Reg. 5083 (Feb. 20, 2005). Proposed NESHAP/Proposed Standards of Performance for New and Existing Stationary Sources: Electric Utility Steam Generating Units. 69 Fed. Reg. 4652 (January 30, 2004). Proposed Rule: Surface Coal Mining and Reclamation Operations; Excess Spoil; Stream Buffer Zones; Diversions. 69 Fed. Reg. 1035 (January 7, 2004). Notice of Draft Aquatic Life Criteria for Selenium and Request for Scientific Information, Data, and Views; 69 Fed. Reg. 242 (December 17, 2004). Draft Programmatic Environmental Impact Statement (|DEIS|) on Mountaintop Removal Coal Mining and Valley Fills. 68 Fed. Reg. 32487 (May 30, 2003).

17. House(s) of Congress and Federal agencies contacted:
United States House of Representatives; United States Senate; Council on Environmental Quality; Environmental Protection Agency; US Army Corps of Engineers; US Department of Interior

18. Name of each individual who acted as a lobbyist in this issue area:

Name: COX, JAMES
Covered Official Position (if applicable): LEGISLATIVE COUNSEL
Name: HAYDEN, MARTIN
Covered Official Position (if applicable): VICE PRESIDENT FOR POLICY AND LEGISLATION
Name: MULHERN, JOAN
Covered Official Position (if applicable): SENIOR LEGISLATIVE COUNSEL

19. Interest of each foreign entity in the specific issues listed on line 16 above.**None**

LOBBYING ACTIVITY.

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: GOV (one per page)

16. Specific lobbying issues:

LEGISLATION: H.R. 211, Ninth Circuit Judgeship and Reorganization Act of 2005 H.R. 212, Ninth Circuit Court of Appeals Judgeship and Reorganization Act of 2005 H.R. 3125, Ninth Circuit Court of Appeals Judgeship and Reorganization Act of 2005 H.R. 418, the REAL I.D. Act H.R. 420 Lawsuit Abuse Reduction ActH.R. 1268, Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief S. 1301, Ninth Circuit Judgeship and Reorganization Act of 2005 S. 1296, Ninth Circuit Judgeship and Reorganization Act of 2005 S. 1845, The Circuit Court of Appeals Restructuring and Modernization Act of 2005 S. 489 Consent Decree Fairness Act H.R. 1229, To amend chapter 111 of title 28, United States Code, to limit the duration of Federal consent decrees to which State and local governments are a party, and for other purposes. NOMINATIONS: Nomination of Judge Samuel A. Alito, Jr. to the United States Supreme Court Re-nomination of William G. Myers III to U.S. Court of Appeals for the 9th Circuit OTHER: Changes in Senate filibuster rule

17. House(s) of Congress and Federal agencies contacted:
United States Senate; United States House of Representatives

18. Name of each individual who acted as a lobbyist in this issue area:

Name: COX, JAMES
Covered Official Position (if applicable): LEGISLATIVE COUNSEL
Name: HAYDEN, MARTIN
Covered Official Position (if applicable): VICE PRESIDENT FOR POLICY AND LEGISLATION
Name: NORTH, TERRILL
Covered Official Position (if applicable): LEGISLATIVE ASSOCIATE
Name: SUGAMELI, GLENN
Covered Official Position (if applicable): SENIOR JUDICIAL COUNSEL

19. Interest of each foreign entity in the specific issues listed on line 16 above.**None**

LOBBYING ACTIVITY.

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: NAT (one per page)

16. Specific lobbying issues:

LEGISLATION: H.CON. RES.95 Concurrent Resolution on the Budget for Fiscal Year 2006 H.R. 6 Energy Policy Act of 2005 H.R. 1155 Alaska Rainforest Conservation Act of 2005 H.R. 839 Restore Scientific Integrity to Federal Research and Policymaking Act H.R. 2744 Agriculture and Related Agencies Appropriations for FY 06H.R. 3563 National Forest Roadless Area Conservation Act H.R. 2361 Department of the Interior, Environment, and Related Agencies Appropriations for FY06 H.R. 2559 Unrecognized Southeast Alaska Native Communities Recognition and Compensation Act S. 1306 Unrecognized Southeast Alaska Native Communities Recognition and Compensation Act S. 293 University of Alaska Lands Act H.R. 4514 Arctic Coastal Plain Domestic Energy Security Act of 2004 H.R. 4818 Consolidated Appropriations for FY 2005 H.R. 3893 Gasoline for America's Security Act of 2005 H.R. 3447 Highway Claims Resolution Act of 2005 H.R. 3973 National Forests Rehabilitation and Recovery Act of 2005' H.R. 4200 Forest Emergency Recovery and Research Act of 2005 H.R. 4241 Deficit Reduction Act of 2005 H.R. 4091 Ratification of part 215, title 36, Code of Federal Regulations JCT report JCS-02-05 H.R. 2863 Department of Defense Appropriations Act, 2006 (SW) S. 1932 Deficit Reduction Omnibus Reconciliation Act of 2005 (SW) RULEMAKINGS: USDOI; Northeast National Petroleum Reserve-Alaska; Final Integrated Activity Plan/Environmental Impact Statement; January 28, 2005 at 70 FR 4140 USDA-FS; Final Rule; 36 CFR Part 219; National Forest System Land and Resource Management Planning; January 5, 2005 at 70 FR 1023 USDA-FS; Notice of Proposed NEPA implementing procedures; National Environmental Policy Act Documentation Needed for Developing, Revising or Amending Land Management Plans; Categorical Exclusion; January 5, 2005 at 70 FR 1062 USDA-FS; Final Rule; Special Areas; State Petitions for Inventoried Roadless Area Management; May 13, 2005 at 70 FR 25654 USDOI; Notice of Availability; Final Environmental Impact Statement; Grazing Administration|Exclusive of Alaska; June 17, 2004 at 70 FR 35299 USDOI-BLM; Proposed Amendment to the Integrated Activity Plan for the Northeast National Petroleum Reserve-Alaska

17. House(s) of Congress and Federal agencies contacted:
United States House of Representatives; United States Senate; Council on Environmental Quality; United States Department of Agriculture; United States Department of Interior; United States Forest Service

18. Name of each individual who acted as a lobbyist in this issue area:

Name: HAYDEN, MARTIN
Covered Official Position (if applicable): VICE PRESIDENT, POLICY AND LEGISLATION
Name: TUCKER, SARA
Covered Official Position (if applicable): LEGISLATIVE ASSOCIATE
Name: WILHOITE, SARAH
Covered Official Position (if applicable): LEGISLATIVE ASSOCIATE

19. Interest of each foreign entity in the specific issues listed on line 16 above.**None**

Signature: ON FILE Date: Feb 14, 2006

Printed Name and Title: Martin B. Hayden, Vice President for Policy and Le -

Information Update Page:

Complete ONLY where registration information has changed.

LOBBYIST UPDATE

23. Name of each previously reported individual who is NO LONGER expected to act as a lobbyist for the client

Name: Garder, John
Name: Moorman, Randall
Name: Weidner, Maria

ISSUE UPDATE

24. General lobbying issues previously reported that NO LONGER pertain

AFFILIATED ORGANIZATIONS

25. Add the following organization(s)

26. Name of each previously reported organization that is NO LONGER affiliated with the registrant or client

FOREIGN ENTITIES

27. Add the following foreign entities

28. Name of each previously reported foreign entity the NO LONGER owns, OR controls, OR is affiliated with the registrant, client or affiliated organization

Name:
Name:
Name:
Name:
Name:
Name:

Signature: ON FILE Date: Feb 14, 2006

Printed Name and Title: MARTIN B. HAYDEN, VICE PRESIDENT FOR POLICY AND LE -