

Return of Organization Exempt From Income Tax

2005

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

▶ The organization may have to use a copy of this return to satisfy state reporting requirements

A For the 2005 calendar year, or tax year beginning **1/1/2005**, 2005, and ending **12/31/2005**, 20

B Check if applicable:
 Address change
 Name change
 Initial return
 Final return
 Amended return
 Application pending

Please use IRS label or print or type. See Specific Instructions.

C Name of organization: **CENTER FOR BIOLOGICAL DIVERSITY INC**
 Number and street (or P O box if mail is not delivered to street address) Room/suite: **PO Box 710**
 City or town, state or country, and ZIP + 4: **Tucson, AZ 85702**

D Employer identification number: **85 : 0420285**

E Telephone number: **(520) 623-5252**

F Accounting method: Cash Accrual
 Other (specify) ▶

G Website: ▶ **www.biologicaldiversity.org**

H and **I** are not applicable to section 527 organizations
H(a) Is this a group return for affiliates? Yes No
H(b) If "Yes," enter number of affiliates ▶
H(c) Are all affiliates included? Yes No (If "No," attach a list See instructions)
H(d) Is this a separate return filed by an organization covered by a group ruling? Yes No

I Group Exemption Number ▶

J Organization type (check only one) ▶ 501(c) (3) ◀ (insert no) 4947(a)(1) or 527

K Check here ▶ if the organization's gross receipts are normally not more than \$25,000. The organization need not file a return with the IRS, but if the organization chooses to file a return, be sure to file a complete return. Some states require a complete return.

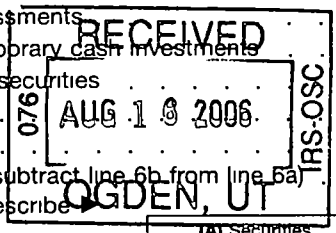
L Gross receipts Add lines 6b, 8b, 9b, and 10b to line 12 ▶ **3,721,253**

M Check ▶ if the organization is not required to attach Sch B (Form 990, 990-EZ, or 990-PF)

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (See the instructions.)

SCANNED AUG 31 2006

Revenue	1 Contributions, gifts, grants, and similar amounts received.				
	a Direct public support	1a	2,535,906		
	b Indirect public support	1b	0		
	c Government contributions (grants)	1c	0		
	d Total (add lines 1a through 1c) (cash \$ 2,534,906 noncash \$ 1,000)	1d			2,535,906
	2 Program service revenue including government fees and contracts (from Part VII, line 93)	2			711,064
	3 Membership dues and assessments	3			0
	4 Interest on savings and temporary cash investments	4			44,483
	5 Dividends and interest from securities	5			0
	6a Gross rents	6a	0		
	b Less rental expenses	6b	0		
	6c Net rental income or (loss) (subtract line 6b from line 6a)	6c			0
7 Other investment income (describe)	7			0	
8a Gross amount from sales of assets other than inventory	(A) Securities		(B) Other		
	0	8a	426,005		
	0	8b	239,844		
	0	8c	186,161		
d Net gain or (loss) (combine line 8c, columns (A) and (B))	8d			186,161	
9 Special events and activities (attach schedule). If any amount is from gaming, check here ▶ <input type="checkbox"/>	a Gross revenue (not including \$ 0 of contributions reported on line 1a)	9a	810		
	b Less: direct expenses other than fundraising expenses	9b	2,085		
	c Net income or (loss) from special events (subtract line 9b from line 9a)	9c			-1,275
10a Gross sales of inventory, less returns and allowances Stmt 3	10a	2,985			
	b Less cost of goods sold	10b	2,280		
c Gross profit or (loss) from sales of inventory (attach schedule) (subtract line 10b from line 10a)	10c			705	
11 Other revenue (from Part VII, line 103)	11			0	
12 Total revenue (add lines 1d, 2, 3, 4, 5, 6c, 7, 8d, 9c, 10c, and 11)	12			3,477,044	
Expenses	13 Program services (from line 44, column (B))	13		2,349,066	
	14 Management and general (from line 44, column (C))	14		335,366	
	15 Fundraising (from line 44, column (D))	15		235,449	
	16 Payments to affiliates (attach schedule)	16		0	
	17 Total expenses (add lines 16 and 44, column (A))	17			2,919,881
Net Assets	18 Excess or (deficit) for the year (subtract line 17 from line 12)	18		557,163	
	19 Net assets or fund balances at beginning of year (from line 73, column (A))	19		2,290,828	
	20 Other changes in net assets or fund balances (attach explanation) Stmt 4	20		-500,000	
	21 Net assets or fund balances at end of year (combine lines 18, 19, and 20)	21			2,347,991



11915

Part II Statement of Functional Expenses All organizations must complete column (A). Columns (B), (C), and (D) are required for section 501(c)(3) and (4) organizations and section 4947(a)(1) nonexempt charitable trusts but optional for others (See the instructions)

Do not include amounts reported on line 6b, 8b, 9b, 10b, or 16 of Part I.		(A) Total	(B) Program services	(C) Management and general	(D) Fundraising
22	Grants and allocations (attach schedule) Stmt 5 (cash \$ <u>111,920</u> noncash \$ <u>0</u>) If this amount includes foreign grants, check here <input type="checkbox"/>	22	111,920		
23	Specific assistance to individuals (attach schedule)	23	0		
24	Benefits paid to or for members (attach schedule)	24	0		
25	Compensation of officers, directors, etc.	25	243,434	5,874	14,772
26	Other salaries and wages	26	1,036,566	70,372	53,014
27	Pension plan contributions	27	61,728	2,736	1,532
28	Other employee benefits	28	161,218	18,394	9,132
29	Payroll taxes	29	116,227	9,910	8,812
30	Professional fundraising fees	30	27,098	0	27,098
31	Accounting fees	31	4,950	4,950	0
32	Legal fees	32	147,842	147,842	0
33	Supplies	33	44,689	3,575	3,173
34	Telephone	34	75,846	5,309	3,792
35	Postage and shipping	35	187,252	3,979	57,037
36	Occupancy	36	70,683	4,947	3,534
37	Equipment rental and maintenance	37	14,942	1,466	0
38	Printing and publications	38	140,300	12,909	45,467
39	Travel	39	169,564	4,202	4,790
40	Conferences, conventions, and meetings	40	31,430	2,932	809
41	Interest	41	0	0	0
42	Depreciation, depletion, etc. (attach schedule)	42	53,544	3,748	2,142
43	Other expenses not covered above (itemize):				
a	See Statement 7	43a	220,648	32,221	345
b		43b			
c		43c			
d		43d			
e		43e			
f		43f			
g		43g			
44	Total functional expenses. Add lines 22 through 43. (Organizations completing columns (B)-(D), carry these totals to lines 13-15)	44	2,919,881	335,366	235,449

Stmt

Joint Costs. Check if you are following SOP 98-2.

Are any joint costs from a combined educational campaign and fundraising solicitation reported in (B) Program services? Yes No
 If "Yes," enter (i) the aggregate amount of these joint costs \$ 323,576, (ii) the amount allocated to Program services \$ 164,249,
 (iii) the amount allocated to Management and general \$ 4,214; and (iv) the amount allocated to Fundraising \$ 155,113

Part III Statement of Program Service Accomplishments (See the instructions.)

Form 990 is available for public inspection and, for some people, serves as the primary or sole source of information about a particular organization. How the public perceives an organization in such cases may be determined by the information presented on its return. Therefore, please make sure the return is complete and accurate and fully describes, in Part III, the organization's programs and accomplishments.

What is the organization's primary exempt purpose? ► Protecting endangered species and wild places. . . . All organizations must describe their exempt purpose achievements in a clear and concise manner. State the number of clients served, publications issued, etc. Discuss achievements that are not measurable. (Section 501(c)(3) and (4) organizations and 4947(a)(1) nonexempt charitable trusts must also enter the amount of grants and allocations to others.)	Program Service Expenses (Required for 501(c)(3) and (4) orgs. and 4947(a)(1) trusts, but optional for others.)
a We educate the public concerning endangered species and their habitats. This is accomplished with speaking engagements at schools and community meetings, hikes in various areas, quarterly newsletters, action alerts, email letters, our website, various fairs and media events. Our organizers bring our case to town halls and Congress to ensure that new laws are passed to save wildlife and open space. (Grants and allocations \$ 105,981) If this amount includes foreign grants, check here ► <input type="checkbox"/>	665,280
b We appeal projects on US Forest Service and Bureau of Land Management properties to insure compliance with current environmental laws such as the endangered species act. (Grants and allocations \$ 5,890) If this amount includes foreign grants, check here ► <input type="checkbox"/>	900,768
c We conduct research on ecology and conservation on forests in the western United States and write and submit detailed biological petitions requesting endangered species designation and critical habitat protection. (Grants and allocations \$) If this amount includes foreign grants, check here ► <input type="checkbox"/>	783,018
d (Grants and allocations \$) If this amount includes foreign grants, check here ► <input type="checkbox"/>	
e Other program services (attach schedule) (Grants and allocations \$) If this amount includes foreign grants, check here ► <input type="checkbox"/>	
f Total of Program Service Expenses (should equal line 44, column (B), Program services). . . . ►	2,349,066

Part IV Balance Sheets (See the instructions.)

				(A)		(B)
		Note: Where required, attached schedules and amounts within the description column should be for end-of-year amounts only.		Beginning of year		End of year
Assets	45	Cash—non-interest-bearing		77,342	45	229,215
	46	Savings and temporary cash investments		1,881,933	46	1,902,749
	47a	Accounts receivable	47a 104,506			
	b	Less: allowance for doubtful accounts	47b 0	80,163	47c	104,506
	48a	Pledges receivable	48a 0			
	b	Less: allowance for doubtful accounts	48b 0	0	48c	0
	49	Grants receivable		0	49	105,000
	50	Receivables from officers, directors, trustees, and key employees (attach schedule)		0	50	0
	51a	Other notes and loans receivable (attach schedule)	51a 0			
	b	Less: allowance for doubtful accounts	51b 0	0	51c	0
	52	Inventories for sale or use		9,701	52	7,067
	53	Prepaid expenses and deferred charges		13,012	53	5,218
	54	Investments—securities (attach schedule)	▶ <input type="checkbox"/> Cost <input type="checkbox"/> FMV	0	54	0
	55a	Investments—land, buildings, and equipment: basis	55a 0			
	b	Less: accumulated depreciation (attach schedule)	55b 0	0	55c	0
56	Investments—other (attach schedule)		0	56	0	
57a	Land, buildings, and equipment: basis	57a 296,094				
b	Less: accumulated depreciation (attach schedule) Stmt 8	57b 207,908	288,339	57c	88,186	
58	Other assets (describe ▶)		0	58	0	
59	Total assets (must equal line 74). Add lines 45 through 58.		2,350,490	59	2,441,941	
Liabilities	60	Accounts payable and accrued expenses		59,662	60	93,950
	61	Grants payable		0	61	0
	62	Deferred revenue		0	62	0
	63	Loans from officers, directors, trustees, and key employees (attach schedule)		0	63	0
	64a	Tax-exempt bond liabilities (attach schedule)		0	64a	0
	b	Mortgages and other notes payable (attach schedule)		0	64b	0
	65	Other liabilities (describe ▶)		0	65	0
66	Total liabilities. Add lines 60 through 65		59,662	66	93,950	
Net Assets or Fund Balances	Organizations that follow SFAS 117, check here ▶ <input checked="" type="checkbox"/> and complete lines 67 through 69 and lines 73 and 74.					
	67	Unrestricted		880,325	67	970,974
	68	Temporarily restricted		1,410,503	68	1,377,017
	69	Permanently restricted		0	69	0
	Organizations that do not follow SFAS 117, check here ▶ <input type="checkbox"/> and complete lines 70 through 74.					
	70	Capital stock, trust principal, or current funds			70	
	71	Paid-in or capital surplus, or land, building, and equipment fund			71	
	72	Retained earnings, endowment, accumulated income, or other funds			72	
73	Total net assets or fund balances (add lines 67 through 69 or lines 70 through 72; column (A) must equal line 19; column (B) must equal line 21)		2,290,828	73	2,347,991	
74	Total liabilities and net assets/fund balances. Add lines 66 and 73.		2,350,490	74	2,441,941	

Part VI Other Information (continued)

		Yes	No
82a	Did the organization receive donated services or the use of materials, equipment, or facilities at no charge or at substantially less than fair rental value?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b	If "Yes," you may indicate the value of these items here. Do not include this amount as revenue in Part I or as an expense in Part II. (See instructions in Part III.)		
	82b 36,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
83a	Did the organization comply with the public inspection requirements for returns and exemption applications?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b	Did the organization comply with the disclosure requirements relating to quid pro quo contributions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
84a	Did the organization solicit any contributions or gifts that were not tax deductible?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
85	501(c)(4), (5), or (6) organizations. a Were substantially all dues nondeductible by members?		
b	Did the organization make only in-house lobbying expenditures of \$2,000 or less? If "Yes" was answered to either 85a or 85b, do not complete 85c through 85h below unless the organization received a waiver for proxy tax owed for the prior year.		
c	Dues, assessments, and similar amounts from members	85c	
d	Section 162(e) lobbying and political expenditures	85d	
e	Aggregate nondeductible amount of section 6033(e)(1)(A) dues notices	85e	
f	Taxable amount of lobbying and political expenditures (line 85d less 85e)	85f	
g	Does the organization elect to pay the section 6033(e) tax on the amount on line 85f?	85g	
h	If section 6033(e)(1)(A) dues notices were sent, does the organization agree to add the amount on line 85f to its reasonable estimate of dues allocable to nondeductible lobbying and political expenditures for the following tax year?	85h	
86	501(c)(7) orgs. Enter: a Initiation fees and capital contributions included on line 12	86a	
b	Gross receipts, included on line 12, for public use of club facilities	86b	
87	501(c)(12) orgs. Enter: a Gross income from members or shareholders	87a	0
b	Gross income from other sources. (Do not net amounts due or paid to other sources against amounts due or received from them.)	87b	0
88	At any time during the year, did the organization own a 50% or greater interest in a taxable corporation or partnership, or an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? If "Yes," complete Part IX	88	<input checked="" type="checkbox"/>
89a	501(c)(3) organizations. Enter: Amount of tax imposed on the organization during the year under: section 4911 ▶ 0 ; section 4912 ▶ 0 , section 4955 ▶ 0		
b	501(c)(3) and 501(c)(4) orgs. Did the organization engage in any section 4958 excess benefit transaction during the year or did it become aware of an excess benefit transaction from a prior year? If "Yes," attach a statement explaining each transaction	89b	<input checked="" type="checkbox"/>
c	Enter: Amount of tax imposed on the organization managers or disqualified persons during the year under sections 4912, 4955, and 4958		0
d	Enter: Amount of tax on line 89c, above, reimbursed by the organization		0
90a	List the states with which a copy of this return is filed ▶ AL, AK, AZ, AR, CA, CT, DC, FL, IL, KS, KY, ME, MD, MA, MI, NH, NM, NC		
b	Number of employees employed in the pay period that includes March 12, 2005 (See instructions.)	90b	39
91a	The books are in care of ▶ Linda Wells Telephone no. ▶ 520-623-5252 Located at ▶ 1333 N. Oracle Road, Tucson, AZ ZIP + 4 ▶ 85705		
b	At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)?	91b	<input checked="" type="checkbox"/>
	If "Yes," enter the name of the foreign country ▶		
	See the instructions for exceptions and filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts.		
c	At any time during the calendar year, did the organization maintain an office outside of the United States? If "Yes," enter the name of the foreign country ▶	91c	<input checked="" type="checkbox"/>
92	Section 4947(a)(1) nonexempt charitable trusts filing Form 990 in lieu of Form 1041—Check here and enter the amount of tax-exempt interest received or accrued during the tax year ▶ 92		<input type="checkbox"/>

Part VII Analysis of Income-Producing Activities (See the instructions.)

Note: Enter gross amounts unless otherwise indicated.

	Unrelated business income		Excluded by section 512, 513, or 514		(E) Related or exempt function income
	(A) Business code	(B) Amount	(C) Exclusion code	(D) Amount	
93 Program service revenue:					
a <u>Cost recovery for environmental litigation</u>					184936
b <u>Settlement of environmental cases</u>					500000
c <u>University of Arizona - work study students</u>					10580
d <u>Contract work for programs</u>					14778
e <u>Earthday Fair</u>					770
f Medicare/Medicaid payments					
g Fees and contracts from government agencies					
94 Membership dues and assessments					
95 Interest on savings and temporary cash investments			14	44483	
96 Dividends and interest from securities					
97 Net rental income or (loss) from real estate:					
a debt-financed property					
b not debt-financed property					
98 Net rental income or (loss) from personal property					
99 Other investment income					
100 Gain or (loss) from sales of assets other than inventory			18	186161	
101 Net income or (loss) from special events			41	-1275	
102 Gross profit or (loss) from sales of inventory					705
103 Other revenue: a _____					
b _____					
c _____					
d _____					
e _____					
104 Subtotal (add columns (B), (D), and (E))				229369	711769
105 Total (add line 104, columns (B), (D), and (E))					941138

Note: Line 105 plus line 1d, Part I, should equal the amount on line 12, Part I.

Part VIII Relationship of Activities to the Accomplishment of Exempt Purposes (See the instructions.)

Line No.	Explain how each activity for which income is reported in column (E) of Part VII contributed importantly to the accomplishment of the organization's exempt purposes (other than by providing funds for such purposes).
▼	See attached schedule

Part IX Information Regarding Taxable Subsidiaries and Disregarded Entities (See the instructions.)

(A) Name, address, and EIN of corporation, partnership, or disregarded entity	(B) Percentage of ownership interest	(C) Nature of activities	(D) Total income	(E) End-of-year assets
	%			
	%			
	%			
	%			

Part X Information Regarding Transfers Associated with Personal Benefit Contracts (See the instructions.)

- (a) Did the organization, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? Yes No
- (b) Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract? Yes No

Note: If "Yes" to (b), file Form 8870 and Form 4720 (see instructions).

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Signature of officer: Michael Finkelstein Date: 5/19/06

Michael Finkelstein, Executive Director

Type or print name and title

Paid Preparer's Use Only

Preparer's signature: _____ Date: _____

Firm's name (or yours if self-employed), address, and ZIP + 4: _____

Check if self-employed

Preparer's SSN or PTIN (See Gen. Inst. W): _____

EIN: _____

Phone no: _____

SCHEDULE A
(Form 990 or 990-EZ)

Organization Exempt Under Section 501(c)(3)

(Except Private Foundation) and Section 501(e), 501(f), 501(k), 501(n),
or 4947(a)(1) Nonexempt Charitable Trust

OMB No 1545-0047

2005

Department of the Treasury
Internal Revenue Service

Supplementary Information—(See separate instructions.)
▶ **MUST be completed by the above organizations and attached to their Form 990 or 990-EZ**

Name of the organization
CENTER FOR BIOLOGICAL DIVERSITY INC

Employer identification number
85 : 0420285

Part I Compensation of the Five Highest Paid Employees Other Than Officers, Directors, and Trustees
(See page 1 of the instructions. List each one. If there are none, enter "None.")

(a) Name and address of each employee paid more than \$50,000	(b) Title and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans & deferred compensation	(e) Expense account and other allowances
Brendan Cummings PO Box 710, Tucson, AZ 85702, US	Staff 50	50,500	7,023	0
.....				
.....				
.....				
.....				
.....				
.....				
.....				
.....				
.....				
Total number of other employees paid over \$50,000 . ▶	0			

Part II-A Compensation of the Five Highest Paid Independent Contractors for Professional Services
(See page 2 of the instructions. List each one (whether individuals or firms). If there are none, enter "None.")

(a) Name and address of each independent contractor paid more than \$50,000	(b) Type of service	(c) Compensation
None		
.....		
.....		
.....		
.....		
.....		
.....		
.....		
.....		
.....		
Total number of others receiving over \$50,000 for professional services ▶		

Part II-B Compensation of the Five Highest Paid Independent Contractors for Other Services
(List each contractor who performed services other than professional services, whether individuals or firms. If there are none, enter "None." See page 2 of the instructions.)

(a) Name and address of each independent contractor paid more than \$50,000	(b) Type of service	(c) Compensation
None		
.....		
.....		
.....		
.....		
.....		
.....		
.....		
.....		
Total number of other contractors receiving over \$50,000 for other services ▶		

Part III Statements About Activities (See page 2 of the instructions.)

	Yes	No
<p>1 During the year, has the organization attempted to influence national, state, or local legislation, including any attempt to influence public opinion on a legislative matter or referendum? If "Yes," enter the total expenses paid or incurred in connection with the lobbying activities ► \$ <u>129841</u> (Must equal amounts on line 38, Part VI-A, or line i of Part VI-B.)</p> <p>Organizations that made an election under section 501(h) by filing Form 5768 must complete Part VI-A. Other organizations checking "Yes" must complete Part VI-B AND attach a statement giving a detailed description of the lobbying activities.</p>	✓	
2 During the year, has the organization, either directly or indirectly, engaged in any of the following acts with any substantial contributors, trustees, directors, officers, creators, key employees, or members of their families, or with any taxable organization with which any such person is affiliated as an officer, director, trustee, majority owner, or principal beneficiary? (If the answer to any question is "Yes," attach a detailed statement explaining the transactions.)		
a Sale, exchange, or leasing of property?		✓
b Lending of money or other extension of credit?		✓
c Furnishing of goods, services, or facilities?		✓
d Payment of compensation (or payment or reimbursement of expenses if more than \$1,000)?	✓	
e Transfer of any part of its income or assets?		✓
3a Do you make grants for scholarships, fellowships, student loans, etc.? (If "Yes," attach an explanation of how you determine that recipients qualify to receive payments.)		✓
b Do you have a section 403(b) annuity plan for your employees?	✓	
c During the year, did the organization receive a contribution of qualified real property interest under section 170(h)?		✓
4a Did you maintain any separate account for participating donors where donors have the right to provide advice on the use or distribution of funds?		✓
b Do you provide credit counseling, debt management, credit repair, or debt negotiation services?		✓

Part IV Reason for Non-Private Foundation Status (See pages 3 through 6 of the instructions.)

The organization is not a private foundation because it is: (Please check only **ONE** applicable box.)

- 5** A church, convention of churches, or association of churches. Section 170(b)(1)(A)(i).
- 6** A school. Section 170(b)(1)(A)(ii) (Also complete Part V)
- 7** A hospital or a cooperative hospital service organization. Section 170(b)(1)(A)(iii)
- 8** A Federal, state, or local government or governmental unit. Section 170(b)(1)(A)(v)
- 9** A medical research organization operated in conjunction with a hospital. Section 170(b)(1)(A)(iii) **Enter the hospital's name, city, and state ►**
- 10** An organization operated for the benefit of a college or university owned or operated by a governmental unit. Section 170(b)(1)(A)(iv) (Also complete the **Support Schedule** in Part IV-A.)
- 11a** An organization that normally receives a substantial part of its support from a governmental unit or from the general public. Section 170(b)(1)(A)(vi). (Also complete the **Support Schedule** in Part IV-A.)
- 11b** A community trust. Section 170(b)(1)(A)(vi) (Also complete the **Support Schedule** in Part IV-A.)
- 12** An organization that normally receives: **(1) more than 33 1/3%** of its support from contributions, membership fees, and gross receipts from activities related to its charitable, etc., functions—subject to certain exceptions, and **(2) no more than 33 1/3%** of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See section 509(a)(2). (Also complete the **Support Schedule** in Part IV-A.)
- 13** An organization that is not controlled by any disqualified persons (other than foundation managers) and supports organizations described in: **(1)** lines 5 through 12 above; or **(2)** sections 501(c)(4), (5), or (6), if they meet the test of section 509(a)(2). Check the box that describes the type of supporting organization: ► Type 1 Type 2 Type 3

Provide the following information about the supported organizations (See page 6 of the instructions.)

(a) Name(s) of supported organization(s)	(b) Line number from above

- 14** An organization organized and operated to test for public safety. Section 509(a)(4). (See page 6 of the instructions.)

Part IV-A Support Schedule (Complete only if you checked a box on line 10, 11, or 12.) *Use cash method of accounting.*

Note: You may use the worksheet in the instructions for converting from the accrual to the cash method of accounting

Calendar year (or fiscal year beginning in) ▶	(a) 2004	(b) 2003	(c) 2002	(d) 2001	(e) Total	
15 Gifts, grants, and contributions received. (Do not include unusual grants. See line 28)	2,515,704	1,195,460	1,492,662	2,155,787	7,359,613	
16 Membership fees received	0	0	0	0	0	
17 Gross receipts from admissions, merchandise sold or services performed, or furnishing of facilities in any activity that is related to the organization's charitable, etc., purpose	763,148	1,014,157	253,337	258,259	2,288,901	
18 Gross income from interest, dividends, amounts received from payments on securities loans (section 512(a)(5)), rents, royalties, and unrelated business taxable income (less section 511 taxes) from businesses acquired by the organization after June 30, 1975	15,646	7,638	10,159	16,769	50,212	
19 Net income from unrelated business activities not included in line 18.	0	0	0	0	0	
20 Tax revenues levied for the organization's benefit and either paid to it or expended on its behalf	0	0	0	0	0	
21 The value of services or facilities furnished to the organization by a governmental unit without charge. Do not include the value of services or facilities generally furnished to the public without charge.	0	0	0	0	0	
22 Other income. Attach a schedule. Do not include gain or (loss) from sale of capital assets	0	0	0	53,496	53,496	Stmt
23 Total of lines 15 through 22	3,294,498	2,217,255	1,756,158	2,484,311	9,752,222	
24 Line 23 minus line 17	2,531,350	1,203,098	1,502,821	2,226,052	7,463,321	
25 Enter 1% of line 23	32,945	22,173	17,562	24,843		
26 Organizations described on lines 10 or 11: a Enter 2% of amount in column (e), line 24 ▶						26a 149,266
b Prepare a list for your records to show the name of and amount contributed by each person (other than a governmental unit or publicly supported organization) whose total gifts for 2001 through 2004 exceeded the amount shown in line 26a. Do not file this list with your return. Enter the total of all these excess amounts ▶						26b 1,252,404
c Total support for section 509(a)(1) test. Enter line 24, column (e) ▶						26c 7,463,321
d Add: Amounts from column (e) for lines: 18 <u>50,212</u> 19 <u>0</u> ▶						
22 <u>53,496</u> 26b <u>1,252,404</u> ▶						26d 1,356,112
e Public support (line 26c minus line 26d total) ▶						26e 6,107,209
f Public support percentage (line 26e (numerator) divided by line 26c (denominator)) ▶						26f 82 %
27 Organizations described on line 12: a For amounts included in lines 15, 16, and 17 that were received from a "disqualified person," prepare a list for your records to show the name of, and total amounts received in each year from, each "disqualified person." Do not file this list with your return. Enter the sum of such amounts for each year: (2004) (2003) (2002) (2001)						
b For any amount included in line 17 that was received from each person (other than "disqualified persons"), prepare a list for your records to show the name of, and amount received for each year, that was more than the larger of (1) the amount on line 25 for the year or (2) \$5,000 (Include in the list organizations described in lines 5 through 11b, as well as individuals.) Do not file this list with your return. After computing the difference between the amount received and the larger amount described in (1) or (2), enter the sum of these differences (the excess amounts) for each year: (2004) (2003) (2002) (2001)						
c Add: Amounts from column (e) for lines: 15 _____ 16 _____ ▶						27c
17 _____ 20 _____ 21 _____ ▶						27d
d Add: Line 27a total, _____ and line 27b total ▶						27e
e Public support (line 27c total minus line 27d total) ▶						27e
f Total support for section 509(a)(2) test: Enter amount from line 23, column (e) ▶						27f
g Public support percentage (line 27e (numerator) divided by line 27f (denominator)) ▶						27g %
h Investment income percentage (line 18, column (e) (numerator) divided by line 27f (denominator)) . ▶						27h %
28 Unusual Grants: For an organization described in line 10, 11, or 12 that received any unusual grants during 2001 through 2004, prepare a list for your records to show, for each year, the name of the contributor, the date and amount of the grant, and a brief description of the nature of the grant. Do not file this list with your return. Do not include these grants in line 15.						

Part V Private School Questionnaire (See page 7 of the instructions.)
(To be completed ONLY by schools that checked the box on line 6 in Part IV)

		Yes	No
29	Does the organization have a racially nondiscriminatory policy toward students by statement in its charter, bylaws, other governing instrument, or in a resolution of its governing body?		
30	Does the organization include a statement of its racially nondiscriminatory policy toward students in all its brochures, catalogues, and other written communications with the public dealing with student admissions, programs, and scholarships?		
31	Has the organization publicized its racially nondiscriminatory policy through newspaper or broadcast media during the period of solicitation for students, or during the registration period if it has no solicitation program, in a way that makes the policy known to all parts of the general community it serves? If "Yes," please describe; if "No," please explain. (If you need more space, attach a separate statement.)		
32	Does the organization maintain the following:		
a	Records indicating the racial composition of the student body, faculty, and administrative staff?	32a	
b	Records documenting that scholarships and other financial assistance are awarded on a racially nondiscriminatory basis?	32b	
c	Copies of all catalogues, brochures, announcements, and other written communications to the public dealing with student admissions, programs, and scholarships?	32c	
d	Copies of all material used by the organization or on its behalf to solicit contributions?	32d	
	If you answered "No" to any of the above, please explain. (If you need more space, attach a separate statement)		
33	Does the organization discriminate by race in any way with respect to:		
a	Students' rights or privileges?	33a	
b	Admissions policies?	33b	
c	Employment of faculty or administrative staff?	33c	
d	Scholarships or other financial assistance?	33d	
e	Educational policies?	33e	
f	Use of facilities?	33f	
g	Athletic programs?.	33g	
h	Other extracurricular activities?.	33h	
	If you answered "Yes" to any of the above, please explain. (If you need more space, attach a separate statement.)		
34a	Does the organization receive any financial aid or assistance from a governmental agency?	34a	
b	Has the organization's right to such aid ever been revoked or suspended? If you answered "Yes" to either 34a or b, please explain using an attached statement.	34b	
35	Does the organization certify that it has complied with the applicable requirements of sections 4.01 through 4.05 of Rev. Proc. 75-50, 1975-2 C.B. 587, covering racial nondiscrimination? If "No," attach an explanation	35	

Part VI-A Lobbying Expenditures by Electing Public Charities (See page 9 of the instructions.)
 (To be completed **ONLY** by an eligible organization that filed Form 5768)

Check **a** if the organization belongs to an affiliated group Check **b** if you checked "a" and "limited control" provisions apply

Limits on Lobbying Expenditures		(a) Affiliated group totals	(b) To be completed for ALL electing organizations
(The term "expenditures" means amounts paid or incurred)			
36	Total lobbying expenditures to influence public opinion (grassroots lobbying)	36	69,920
37	Total lobbying expenditures to influence a legislative body (direct lobbying)	37	59,920
38	Total lobbying expenditures (add lines 36 and 37)	38 0	129,840
39	Other exempt purpose expenditures	39	2,590,592
40	Total exempt purpose expenditures (add lines 38 and 39)	40 0	2,720,432
41	Lobbying nontaxable amount. Enter the amount from the following table—		
	If the amount on line 40 is—	The lobbying nontaxable amount is—	
	Not over \$500,000	20% of the amount on line 40	
	Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000	
	Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000	
	Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000	
	Over \$17,000,000	\$1,000,000	
41		41 0	286,022
42	Grassroots nontaxable amount (enter 25% of line 41)	42 0	71,506
43	Subtract line 42 from line 36. Enter -0- if line 42 is more than line 36.	43 0	0
44	Subtract line 41 from line 38. Enter -0- if line 41 is more than line 38.	44 0	0

Caution: If there is an amount on either line 43 or line 44, you must file Form 4720.

4-Year Averaging Period Under Section 501(h)

(Some organizations that made a section 501(h) election do not have to complete all of the five columns below.
 See the instructions for lines 45 through 50 on page 11 of the instructions)

Calendar year (or fiscal year beginning in) ▶	Lobbying Expenditures During 4-Year Averaging Period				
	(a) 2005	(b) 2004	(c) 2003	(d) 2002	(e) Total
45 Lobbying nontaxable amount	286,022	253,852	245,367	0	785,241
46 Lobbying ceiling amount (150% of line 45(e))					1,177,862
47 Total lobbying expenditures	129,840	67,238	129,524	0	326,602
48 Grassroots nontaxable amount	71,506	63,463	61,342	0	196,311
49 Grassroots ceiling amount (150% of line 48(e))					294,467
50 Grassroots lobbying expenditures	69,920	28,467	13,171	0	111,558

Part VI-B Lobbying Activity by Nonelecting Public Charities

(For reporting only by organizations that did not complete Part VI-A) (See page 11 of the instructions.)

During the year, did the organization attempt to influence national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of.	Yes	No	Amount
a Volunteers			
b Paid staff or management (include compensation in expenses reported on lines c through h.)			
c Media advertisements			
d Mailings to members, legislators, or the public			
e Publications, or published or broadcast statements			
f Grants to other organizations for lobbying purposes			
g Direct contact with legislators, their staffs, government officials, or a legislative body			
h Rallies, demonstrations, seminars, conventions, speeches, lectures, or any other means			
i Total lobbying expenditures (Add lines c through h.)			

If "Yes" to any of the above, also attach a statement giving a detailed description of the lobbying activities

Part VII Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations (See page 12 of the instructions.)

51 Did the reporting organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?

Table with 3 columns: Question (a-f), Yes, No. Contains rows for transfers of cash/assets, other transactions (sales, purchases, rental, etc.), and sharing of facilities.

d. If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting organization. If the organization received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received:

Table with 4 columns: (a) Line no, (b) Amount involved, (c) Name of noncharitable exempt organization, (d) Description of transfers, transactions, and sharing arrangements.

52a Is the organization directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527? [X] Yes [] No

b If "Yes," complete the following schedule.

Table with 3 columns: (a) Name of organization, (b) Type of organization, (c) Description of relationship. Starts with 'See Statement 14'.

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Statement 1	Page: 1	Part: I	Question: 8	Sales of Assets Other than Inventory
Description: Sale of Buildings				
Sales Price:	\$426,005	Date Sold:	10/06/2005	
Expense of Sale:	\$37,770	Date acquired:	04/07/2005	
Cost or value when acquired:	\$227,930	How acquired:	Gift	
Depreciation since acquisition:	\$25,856			
Net Sale:	<u>\$186,161</u>			

Statement 2	Page: 1	Part: I	Question: 9	Schedule of Special Events	
Description	Gross Receipts	Contributions	Gross Revenue	Direct Costs	Net Income (Loss)
Fundraising event	\$810	\$0	\$810	\$2,085	-\$1,275
Total:	\$810	\$0	\$810	\$2,085	<u>-\$1,275</u>

Statement 3	Page: 1	Part: I	Question: 10	Sales of Inventory
Description	Gross Sales	COGS	Gross Profit	
T-shirt and book sales	\$2,985	\$2,280	\$705	
Total:	\$2,985	\$2,280	<u>\$705</u>	

Statement 4	Page: 1	Part: I	Question: 20	Other changes in Net Assets or Fund Balances
Explanation				Amount
Payment of lawsuit judgment that has been appealed				\$500,000
Total:				<u>-\$500,000</u>

Statement 5	Page: 2	Part: II	Question: 22	Grants and Allocations
Name	Classification	Grant Amount		
Endangered Species Coalition	Work on Endangered Species	11,081		
Alameda Creek Alliance	Alameda Creek project	950		
San Diego Baykeeper	Industrial compliance campaign	10,000		
KUAT Communications Group	Sponsorship	2,000		
Coalition Sonoran Desert Protection	Project	1,000		
Mt Graham Coalition	Mt Graham campaign	4,000		
Regents Of UC Davis	Intern project	939		
Preserve Wild Santee	Ballot initiative	21,400		
San Diego Baykeeper	Industrial compliance campaign	60,000		
Alianza Para La Conservacion	Rio Terbe/Bonyic Protection	500		
Total Grants:				<u>\$111,920</u>

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Statement 6	Page: 2	Part: II	Question: 42	Depreciation and Depletion
Asset				Current Depreciation
Automobiles				\$6,896
Buildings				\$4,612
Equipment				\$39,583
Leasehold improvements				\$2,453
Total				<u>\$53,544</u>

Statement 7	Page: 2	Part: II	Question: 43	Other expenses for Part II	
Description	Total	Pgm Services	Mgt and General	Fundraising	
Bank charges	\$13,350	\$0	\$13,350	\$0	
Education	\$29,325	\$29,325	\$0	\$0	
Advertising	\$3,231	\$1,882	\$1,349	\$0	
Dues and subscriptions	\$12,774	\$12,327	\$102	\$345	
Insurance	\$27,686	\$24,364	\$3,322	\$0	
Miscellaneous	\$1,481	\$630	\$851	\$0	
Professional services	\$132,801	\$119,554	\$13,247	\$0	
Total:	<u>\$220,648</u>	<u>\$188,082</u>	<u>\$32,221</u>	<u>\$345</u>	

Statement 8	Page: 4	Part: IV	Question: 57	Schedule of Land, Buildings and Equipment		
Description	Cost	Depreciation	Book Value			
Equipment	\$256,993	\$173,870	\$83,123			
Automobiles	\$29,595	\$28,293	\$1,302			
Leasehold improvements	\$9,506	\$5,745	\$3,761			
Total:	<u>\$296,094</u>	<u>\$207,908</u>	<u>\$88,186</u>			

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Statement 9 Page: 5 Part V Officers, Directors, Trustees, and Key Employees

Name and Address	Title Hrs	Compensation	Benefits	Expenses
Brent Hendricks PO Box 710 Tucson, AZ 85702	Director 2 hours	\$0	\$0	\$0
Katherine Meyer PO Box 710 Tucson, AZ 85702	Director 2 hours	\$0	\$0	\$0
Kieran Suckling PO Box 710 Tucson, AZ 85702	Treasurer 50 hours	\$56000	\$13577	\$0
Marcey Olajos PO Box 710 Tucson, AZ 85702	Director 2 hours	\$0	\$0	\$0
Michael Finkelstein PO Box 710 Tucson, AZ 85702	Executive Director 40 hours	\$57000	\$2726	\$0
Peter Galvin PO Box 710 Tucson, AZ 85702	Director 50 hours	\$56000	\$7421	\$0
Robin Silver PO Box 710 Tucson, AZ 85702	Chairperson 30 hours	\$6240	\$7306	\$0
Todd Schulke PO Box 710 Tucson, AZ 85702	Secretary 50 hours	\$44000	\$13148	\$0

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CENTER FOR BIOLOGICAL DIVERSITY INC
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Statement 10 Page: 6 Part: V-B Former Officers, Directors, Trustees, and Key Employees

Name and Address	Loans and Advances	Comp.	Benefits	Expenses
Linda Wells PO Box 710 Tucson, AZ 85702	\$0	\$30,500	\$5,623	\$0

Statement 11 Page: 6 Part: VI Question: 80 b Related Organizations

Description	Exempt
Southwest Action - Inactive	Yes

Statement 12 Page: 8 Part: VIII Relationship of Activities

Line No	Relationship of Activities to the Accomplishment of Exempt Purposes
93 a	Court awarded attorney fees and legal costs are received in the course of pursuing the organizations exempt purpose, protecting endangered species and their habitats.
93 b	Settlements of environmental cases
93 c	This funding allows us to hire students to assist in research and to educate them on environmental issues and the law.
93 d	This funding is for project work we do for others and we are also able to use the information in our work.
93 e	The Earthday Fair enabled us and other environmental groups to do public education.

Form: Schedule A

Statement 13 Page: 3 Part: IV-A Question: 22 Other Income

Description	2004	2003	2001	2002
Settlement income	\$0	\$0	\$0	\$53,496
Total:	\$0	\$0	\$0	\$53,496

Statement 14 Page: 6 Part: VII Question: 52 b Relationships with Noncharitable Exempt Organizations

Name of Organization	Type	Relationship
Southwest Action - Inactive	501c4	Overlapping board of directors

Application for Extension of Time To File an Exempt Organization Return

OMB No 1545-1709

▶ File a separate application for each return

- If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** and check this box
 - If you are filing for an **Additional (not automatic) 3-Month Extension**, complete only **Part II** (on page 2 of this form).
- Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868.**

Part I Automatic 3-Month Extension of Time—Only submit original (no copies needed)

Form 990-T corporations requesting an automatic 6-month extension—check this box and complete Part I only
All other corporations (including Form 990-C filers) must use Form 7004 to request an extension of time to file income tax returns. Partnerships, REMICs, and trusts must use Form 8736 to request an extension of time to file Form 1065, 1066, or 1041.

Electronic Filing (e-file). Form 8868 can be filed electronically if you want a 3-month automatic extension of time to file one of the returns noted below (6 months for corporate Form 990-T filers). However, you cannot file it electronically if you want the additional (not automatic) 3-month extension, instead you must submit the fully completed signed page 2 (Part II) of Form 8868. For more details on the electronic filing of this form, visit www.irs.gov/efile.

Type or print	Name of Exempt Organization Center for Biological Diversity, Inc.	Employer identification number 85 : 0420285
File by the due date for filing your return. See instructions	Number, street, and room or suite no. If a P O box, see instructions PO Box 710	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions Tucson, AZ 85702	

Check type of return to be filed (file a separate application for each return):

- | | | |
|--|---|------------------------------------|
| <input checked="" type="checkbox"/> Form 990 | <input type="checkbox"/> Form 990-T (corporation) | <input type="checkbox"/> Form 4720 |
| <input type="checkbox"/> Form 990-BL | <input type="checkbox"/> Form 990-T (sec. 401(a) or 408(a) trust) | <input type="checkbox"/> Form 5227 |
| <input type="checkbox"/> Form 990-EZ | <input type="checkbox"/> Form 990-T (trust other than above) | <input type="checkbox"/> Form 6069 |
| <input type="checkbox"/> Form 990-PF | <input type="checkbox"/> Form 1041-A | <input type="checkbox"/> Form 8870 |

• The books are in the care of ▶ **Linda K Wells, Director of Finance**

Telephone No. ▶ (**520**) **327-9973** FAX No. ▶ (**520**) **327-9973**

- If the organization does **not** have an office or place of business in the United States, check this box
- If this is for a **Group Return**, enter the organization's four digit Group Exemption Number (GEN) _____. If this is for the **whole** group, check this box . If it is for part of the group, check this box and attach a list with the names and EINs of all members the extension will cover

1 I request an automatic 3-month (6-months for a **Form 990-T corporation**) extension of time until **August 15**, 20 **06**, to file the exempt organization return for the organization named above. The extension is for the organization's return for
 ▶ calendar year 20 **05** or
 ▶ tax year beginning, 20, and ending, 20

2 If this tax year is for less than 12 months, check reason: Initial return Final return Change in accounting period

3a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions \$ _____

b If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit \$ _____

c Balance Due. Subtract line 3b from line 3a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions \$ **0**

Caution. If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.