

THE FALL 2005 TERM OF THE MEXICAN CONGRESS

Author

Jeffrey A. Weldon

MEXICAN CONGRESSIONAL REPORT SERIES



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The Fall 2005 Term of the Mexican Congress

Jeffrey A. Weldon

After a highly partisan and conflictive second year, the 59th Legislature of the Mexican Congress began its third and final year with surprisingly little partisanship and acrimony, especially considering that it was a presidential election year. Both chambers of Congress continued to break records in terms of productivity.

The second year of the 59th Legislature (September 1, 2004, to August 31, 2005) witnessed highly partisan debates over taxes, the budget (including the first budget veto in more than 70 years), and the removal of the immunity from prosecution of Andrés Manuel López Obrador, the mayor of Mexico City and the expected candidate of the PRD in the presidential election (the federal government soon afterward declined to prosecute, which allowed López Obrador to run in 2006).

In the third year, at least in Congress, the parties concentrated on registering accomplishments. Nonetheless, the agenda was driven by electoral concerns. One of the two major electoral alliances for the 2006 elections—Alianza por México (Alliance for Mexico, comprising the PRI and PVEM)—worked hard to get legislation approved for the Green party, as part of the deal to get the Green candidate to resign and join forces with Roberto Madrazo.¹ This increased the number (if not necessarily the quality) of bills approved during the term. Attempts were also made to approve legislation that would grant greater autonomy to some regulatory agencies. These bills were designed to limit the field of action of a potential López Obrador presidency.

The fall 2005 term of Congress began on September 1 and ended on December 15. The Chamber of Deputies ended its term on December 14. In the recent past special sessions were required in the last two weeks of December to pass the budget package. The 2004 constitutional amendment that specified that the budget be approved by November 15, however, has effectively eliminated the need for special sessions during the holidays.² For purposes of comparison with previous years, the data for this report include all bills introduced or approved between September 1 and December 31.

1. The Alianza por el Bien de Todos (Alliance for the Good of All, comprising the PRD, PT, and Convergencia) pursued a similar strategy during the spring 2006 term.

The statistical analysis that follows is derived from databases created by the author of all of the bills introduced in the Senate and the Chamber of Deputies for the 56th through 59th Legislatures (1994–2005).³ That information has been taken from the *Diario de los Debates* and the *Gaceta Parlamentaria* of each of the two chambers. All of the information is available online in its original format.⁴

The Chamber of Deputies in the Fall 2005 Term

More bills were introduced during the fall 2005 term of the Chamber of Deputies than in any previous fall term in history. In fact, more bills were introduced during the four months of the fall 2005 term than in any entire 36-month legislature before 1997. Between September 1 and December 31, 2005, 516 bills were introduced in the Chamber of Deputies (see Table 1). This number comprised 81 constitutional reforms, 427 laws, 3 bills to interpret the constitution, and 5 requests for authorization for the president to travel abroad.

Of the 516 bills introduced in the Chamber of Deputies during the fall term, deputies sponsored 420, or 81.4 percent of the total. PRI deputies introduced the most legislation, with 153 bills, or 29.7 percent of the total number of bills. The former ruling party introduced 24 bills to reform the constitution, more than any other political actor in the same term. The 17-member PVEM (the Greens) introduced 86 bills, or 16.7 percent of the total, more bills than the much-larger PAN or PRD delegations. The number of bills introduced increased in part because of the party's demand for the PRI's support of a dozen bills as part of the agreement to form the Alianza por México. As expected, many of these bills dealt with environmental issues. The PVEM also continued its crusade to make small technical changes to existing laws, such as replacing obsolete words or concepts,⁵ or adding the names of new agencies to old laws. Although enacting legislation usually includes transitional articles that state that all existing legislation is superseded by the new law, PVEM still calls for many of these types of changes, increasing substantially the number of bills that the party introduces.

2. The fall 2006 term of the 60th Legislature will end on December 31, 2006, because President Calderón was inaugurated on December 1, and he introduced his budget on December 5. It is likely that the Congress will use most of the month to approve the budget package.

3. The data for the 1995–2000 period in the Chamber of Deputies was collected by María del Carmen Nava Polina and Jorge Yáñez López, under the direction of the author. The data for the 58th and 59th Legislatures for the Chamber of Deputies, as well as all of the data for the Senate was gathered by the author. He is grateful for the research assistance provided by Gustavo Robles, Beatriz Guerrero, Javier Patiño, and Mariel Niño of the Political Science Department at ITAM.

4. The *Diario de los Debates* is the record of the debates. Each chamber publishes its own *Gaceta*, a periodical containing the daily journals, floor agendas, bills, committee reports, and communications. The Internet addresses are <http://gaceta.diputados.gob.mx/> for the Chamber of Deputies and <http://www.senado.gob/gaceta> for the Senate. The *Gaceta* of both chambers are published every weekday.

5. For example, the words “departamentos administrativos” (administrative departments) were replaced by “secretarías de estado” (government ministries).

Table 1. Bills Introduced in the Chamber of Deputies, September 1 through December 31, 2005

Sponsor	Laws	Constitutional Reforms	Total	Percent of Total
Deputy-PRI	129	24	153	29.7
Deputy-PAN	57	22	79	15.3
Deputy-PRD*	45	9	57	11.0
Deputy-PVEM	73	13	86	16.7
Deputy-PT	9	2	11	2.1
Deputy-Convergencia	13	1	14	2.7
Deputy-Independent	2	0	2	0.4
Deputies in Coalition	15	1	16	3.1
Committees	2	0	2	0.4
Executive**	14	2	21	4.1
Senators***	13	0	13	2.5
State Legislatures	5	2	7	1.4
Senate	50	5	55	10.7
Total	427	81	516	100.0

* Total includes three bills to interpret the constitution.

** Total includes five requests for authorization to travel outside the country.

*** Senators who introduce revenue bills in the Chamber of Deputies.

The PAN, with the second-largest number of deputies in the 59th Legislature, introduced 79 bills, representing 15.3 percent of the total. The PRD introduced 57 bills (11.0 percent), including three bills to interpret the meaning of several articles of the constitution: an interpretation of article 27 regarding petroleum, hydrocarbons, and radioactive minerals; an interpretation of the same article regarding electricity; and an interpretation of article 72 that would deny the president the power to veto the budget. In the last case, the PRD wanted Congress to overrule the Supreme Court's ruling earlier in the year that the president did indeed have the authority to veto the budget.⁶ As for the other parties, Convergencia introduced 14 bills, and the Labor Party (PT) introduced 11.

Committees introduced 16 bills in the fall term. Senators introduced 13 bills directly in the Chamber of Deputies as the chamber of origin. The Mexican Constitution requires that all revenue and debt bills originate in the Chamber of Deputies,

6. The Court has ruled that it is the only authority that can interpret definitively the Constitution. The PRD uses jurisprudence from the nineteenth century to found its belief that Congress can overrule the Court.

but does not prohibit senators from introducing such legislation. The Congress deals with this contradiction by permitting senators to present tax bills in the upper chamber, which then sends the bills to the Chamber of Deputies, where they are sent to committee.⁷

State legislatures introduced seven bills into the Chamber of Deputies during the fall 2005 term. The state congress of Jalisco introduced three bills, while the legislatures of Baja California, Guanajuato, and San Luis Potosí introduced one each (the governors of all four states are members of the PAN). Also, the PRD-controlled Legislative Assembly of the Federal District introduced one bill.

Twenty-one bills that had originated in the federal executive branch were introduced in the Chamber of Deputies during the fall 2005 term, representing only 4.1 percent of the total number of bills that entered the chamber. Six of these bills—one constitutional amendment and five requests for authorization for the president to travel abroad—had first been approved by the Senate.⁸ President Vicente Fox introduced nine bills directly into the Chamber of Deputies during the fall 2005 term, including the federal budget. One of these bills, calling for amendments to tax legislation, was divided into two bills by the Finance Committee. The following are the bills that the president introduced directly into the Chamber of Deputies:

- The Federal Revenue Law for fiscal year 2006;
- The federal budget for fiscal year 2005;
- Amendments to tax legislation (*Miscelánea Fiscal*), which was then divided by the Chamber of Deputies into:
 - Amendments to the federal fiscal code, and
 - Amendments to other tax legislation;
- Amendments to the Federal Fees Law;
- Amendments to articles 27 and 28 of the constitution;
- The new Regulatory Law for Natural Gas Not Associated with Petroleum;
- Amendments to the Regulatory Law for Petroleum and to the Energy Regulation Commission Law;
- The new Cultural Promotion and Dissemination Law; and
- Amendments to the General Law on Mutual Societies and Insurance, the Federal Law on Bonding Institutions, and the Insurance Contract Law.

The budget package is described below. Fox introduced the three energy laws on September 22, 2005. The constitutional amendments would promote the modernization of the natural gas industry by allowing private investment in the sector under the tutelage of the federal government. The bill was directed at natural gas

7. For the purposes of the Mexican Congressional Report Series, these bills are counted only in the lower chamber and do not appear in the statistics of the Senate.

8. President Fox has chosen to send all such requests to the Senate first, though this is not required.

produced in isolation, thus protecting the petroleum sector from privatization in cases where natural gas is extracted alongside oil. The federal government recognized that any attempt to open the oil sector would be doomed to failure, especially in an election year. The constitutional amendments would remove the state monopoly over the exploitation of natural gas not extracted alongside oil. The new law would create a regulatory framework for the natural gas industry, allowing for the granting of concessions for the exploitation of the resource. The amendments to the Regulatory Law for Petroleum and to the Energy Regulation Commission Law would permit concessions to the private sector in the transportation, storage, and distribution of petroleum, refined oil products, gas, and basic petrochemicals.

The new Cultural Promotion and Dissemination Law, introduced on the same day as the energy reform legislation, would replace the 1988 decree that created the National Council for Culture and the Arts (CONACULTA) with a new regulatory law for the promotion and diffusion of culture. This bill in part responded to criticism that culture and the arts were very low on the list of priorities of the first five years of the Fox administration.

The comprehensive amendments to the insurance laws would modernize the insurance industry. Among other changes, they would permit insurance on credit for housing and on financial contracts, and allow foreign corporations to participate in the Mexican insurance market so long as the controlling authority remains Mexican.

The Chamber of Deputies received the following six executive bills from the Senate, all of which had been approved by the upper chamber during the spring term or summer special session term of 2005:

- Amendments to articles 18, 20, and 21 of the constitution;
- The new Federal Criminal Sentencing Law, and amendments to the Organic Law of the Federal Judicial Branch and Organic Law of the Federal Public Administration;
- Amendments to the Federal Criminal Code;
- Amendments to the Federal Criminal Procedures Code;
- Amendments to various criminal codes and financial services laws; and
- Amendments to the General Public Health Law, the Federal Criminal Code, and the Federal Criminal Procedures Code.

Five travel authorizations are described below in the Senate section. The constitutional amendments, approved by the Senate during the summer 2005 special session, would grant free legal assistance, provided by the government, to victims of crime. Furthermore, victims of rape or kidnapping would no longer be required to testify face-to-face in front of the accused. The reforms would also allow community service to be a federal sentencing option.

The new Federal Criminal Sentencing Law, approved by the Senate during the summer, represents a major reform in the federal penitentiary system. Among many other procedural matters, it would create a system of federal district judges called Execution-of-Criminal-Sentences Judges. These judges would rule on

granting parole to federal felons, and decide controversies between federal prison authorities and inmates.

The Senate also approved the amendments to the Federal Criminal Code during the summer special session. These amendments constitute a comprehensive reform of criminal law, including the creation and abolishment of several federal felonies, and the elimination of the statute of limitations for war crimes and for the forced disappearance of persons (according to treaties that had recently been ratified by the Senate). The bill would also make it a federal crime to incite hatred or violence against anyone on the basis of age, gender, marital status, ethnicity, language, religion, sexual orientation, physical characteristics, nationality, occupation, economic status, disability, health, or pregnancy. Furthermore, discriminating in the workplace based on any of these factors would be a federal crime.

The amendments to the Federal Criminal Procedures Code would provide more resources to the federal government to combat organized crime, including, in an approximation of the RICO statute in the United States, allowing for the confiscation of property obtained by organized crime syndicates. They also contained a section regulating mutual assistance between Mexico and other countries in the apprehension and prosecution of criminals.

President Fox introduced the bill to amend various criminal codes and financial services laws on September 11, 2003, on the second anniversary of the terrorist attacks in the United States. The bill would prohibit the planning and execution from Mexico of terrorist attacks against a foreign country. Another bill, introduced on the same day, prohibiting the financing of terrorist groups was approved by both chambers that year. In the bill to amend the criminal codes, the Senate decided to add amendments to the regulatory laws of the financial system in order to assimilate the language into each law.

The amendments to the Public Health Law and the criminal codes would delineate the prosecution of street-level drug trafficking. It would provide for no criminal penalties if the amount of drugs found on the dealer were determined to be for personal use. The bill, as approved by the Senate, was relatively innocuous, consisting of modifications to the federal criminal codes to reflect earlier changes in the constitution that had devolved the prosecution of street-level drug dealing to the states.⁹ During the spring 2006 term, the Chamber of Deputies amended the bill, which now looked much more like a drug legalization law. The Senate approved the amended version on the last day of the spring term. The bill created a great deal of controversy and generated complaints from the U.S. government as well as many sectors of Mexican society. In September 2006 Fox vetoed the bill.

The Senate forwarded 55 non-executive bills to the Chamber of Deputies that had been previously approved in the upper chamber, representing 10.7 percent of the bills that entered the lower chamber during the fall 2005 term. Among these were 27 bills that had been introduced by senators, approved by the Senate, and entered the Chamber of Deputies as second chamber. Five of these were constitutional reforms, discussed in the Senate section below. The Senate sent three

9. See *The Spring 2005 Term of the Mexican Congress* in the CSIS Mexican Congressional Report Series.

indigenous rights bills to the lower chamber, part of the extensive package of reforms that have been under discussion since the indigenous rights reform of the constitution was approved in 2001. The great majority of these non-executive bills were introduced by PRI senators. The bills from the Senate included four environmental measures and three reforms of the education laws as well. One of the latter would provide for more regular and stricter accreditation of private universities, which have proliferated in Mexico in recent years.

The Senate also sent a major electoral reform for the Federal District (DF) to the Chamber of Deputies. This bill, approved by the Senate during the summer special session, would repeal the majority-assuring clause in the electoral law for the DF Assembly. Currently, there are 40 district seats and 26 proportional-representation list seats in the assembly. If a party wins the greatest number of districts and wins at least 30 percent of the vote, it is awarded enough list seats to guarantee a majority in the assembly. The reform would eliminate this rule, making the allocation of the list seats strictly proportional. Furthermore, no party's share of seats in the assembly could be greater than 8 percentage points more than its share of the DF vote, and no party could ever win more than 40 total seats. The reform would make the system of allocation of list seats in the DF identical to that of the Chamber of Deputies.

The Senate returned 17 bills to the Chamber of Deputies after amending them. These included five bills related to the budget package, two environmental bills, and two public health measures. The Senate also rejected nine bills that had been approved by the Chamber of Deputies, including four crime or public-security bills, and two public health bills. Rejected bills are returned to the chamber of origin for further examination.

More bills were introduced in the fall 2005 term than in any previous fall term in history (see Table 2). This increase is due to the natural effects of divided government, but also to a sustained increase in the production of bills during the last several years of pluralism in the Chamber of Deputies. During the years in which the PRI controlled the presidency and the majority in the lower chamber, fewer bills were introduced in the fall terms. Between 1988 and 1996, on average 43.2 bills were presented in the Chamber of Deputies during the fall terms. The president introduced 43.7 percent of the bills in the fall terms in this period of unified government. The deputies introduced 55.8 percent of the bills in this period. Surprisingly, in those nine years the Senate sent only two bills to the Chamber of Deputies that had been sponsored originally by members of the upper chamber.

In the first fall term of divided government in 1997, the number of bills introduced increased to 72, with most of that increase due to more bills being authored by deputies. In the fall 1998 term, the number of bills introduced more than doubled to 153 (a number repeated in the 1999 term). In each of the three fall terms of the 57th Legislature (1997–2000), President Ernesto Zedillo introduced only 15 bills (11.9 percent of the total), while more bills were introduced by legislators (including—finally—senators).

Table 2. Bills Introduced in the Chamber of Deputies in the Fall Terms, 1990–2005

Legislature	Year	Executive	%	Deputies	%	Others	%	Senate	%	Total
54th	1988	17	29.8	40	70.2	0	0.0	0	0.0	57
	1989*	19	46.3	22	53.7	0	0.0	0	0.0	41
	1990*	17	30.4	39	69.6	0	0.0	0	0.0	56
55th	1991*	22	62.9	13	37.1	0	0.0	0	0.0	35
	1992*	19	54.3	16	45.7	0	0.0	0	0.0	35
	1993*	21	61.8	12	35.3	0	0.0	1	2.9	34
56th	1994*	8	36.4	14	63.6	0	0.0	0	0.0	22
	1995	24	48.0	26	52.0	0	0.0	0	0.0	50
	1996	23	39.0	35	59.3	0	0.0	1	1.7	59
57th	1997	15	20.8	51	70.8	5	6.9	1	1.4	72
	1998	15	9.8	125	81.7	9	5.9	4	2.6	153
	1999	15	9.8	120	78.4	7	4.6	11	7.2	153
58th	2000	9	10.2	70	79.5	5	5.7	4	4.5	88
	2001	22	9.2	171	71.8	26	10.9	19	8.0	238
	2002	25	8.3	211	69.9	21	7.0	45	14.9	302
59th	2003	12	5.8	122	58.7	34	16.3	40	19.2	208
	2004	16	3.2	420	83.7	26	5.2	40	8.0	502
	2005	21	4.1	420	81.4	20	3.9	55	10.7	516

* Two-month fall terms (November 1–December 31).

In the fall 2000 term, during the presidential transition between Zedillo and Fox, the number of bills introduced declined. This was partly due to a decrease in the number of executive bills introduced (Zedillo sent almost nothing in his last months, while Fox presented little more than his budget package), and partly due to an expected low point in the deputies' productivity as they learned the ropes of the chamber (also, committees are not constituted until October). Since there is no immediate reelection of deputies, there is no natural continuity between legislatures, and the great majority of deputies are in fact legislative rookies. A similar decline occurred in 2003, during the first term of the 59th Legislature, while another is likely in the fall 2006 term as the 60th Legislature assumes its duties. The number of bills introduced increased to 238 during the fall 2001 term, and reached 302 during the last fall term of the 58th Legislature. During the 58th Legislature (fall terms 2000–2002), only 8.9 percent of the bills introduced had originated in the executive branch.

After a decline in the first term of the 59th Legislature (fall term 2003–2005), the number of bills introduced in the fall 2004 term sky-rocketed to 502. This

represented an increase of 141 percent over 2003. In the fall 2005 term, 516 bills were introduced, a modest 2.7 percent increase over the previous year, but an all-time record nonetheless. During the 59th Legislature, the executive branch introduced only 4 percent of the bills. The Senate sent over 11 percent of the bills, a respectable figure compared to the relatively passive upper chambers of the past.

The Chamber of Deputies approved 212 bills during the fall 2005 term, easily breaking the record for a fall term set in 2004 (see Table 3). Of these, 150 had been sponsored by federal deputies, representing 70.8 percent of the total. Fifteen of the bills were constitutional reforms. The party with the most bills approved was the PRI, with 54, or just greater than a quarter of the total bills approved. The PVEM had the second-largest number of bills approved, with 28 (or 13.2 percent). The high productivity for the PVEM was in part due its demands in return for joining the Alianza por México.

Table 3. Resolution of Bills in the Chamber of Deputies, September 1 through December 31, 2005

Sponsor	Approved	Rejected
Deputy-PRI	54	14
Deputy-PAN	24	7
Deputy-PRD	16	9
Deputy-PVEM	28	22
Deputy-PT	2	1
Deputy-Convergencia	10	11
Deputies in Coalition	14	2
Committees	2	0
Executive*	14	1
Senators**	16	0
State Legislatures	4	5
Senate	28	3
Total	212	75

* Includes five approved requests for travel authorization.

** Senators who introduce revenue bills in the Chamber of Deputies.

The PAN had sponsored 24 of the approved bills, and the PRD 16. The five-member Convergencia parliamentary group had 10 bills approved during the fall 2005 term. Fourteen bills had been sponsored by coalitions of different parties in the Chamber of Deputies. State legislatures had introduced 4 of the approved bills: the Jalisco legislature had sponsored three, while the local congress of San Luis Potosí had sponsored one.

Fourteen of the bills approved by the Chamber of Deputies had originated in the executive branch. President Fox had introduced directly into the Chamber of Deputies the following six approved bills:

- The Federal Revenue Law for fiscal year 2006;
- Amendments to tax legislation (*Miscelánea Fiscal*);
- Amendments to the Federal Fees Law;
- The federal budget for fiscal year 2005;
- Law of the Institute of the National Worker Consumer Fund; and
- Amendments to the General Law on Mutual Societies and Insurance, the Federal Law on Bonding Institutions, and the Insurance Contract Law.

The Federal Revenue Law for fiscal year 2006, introduced by President Fox on September 7, authorized total revenues in the amount of 1.881 trillion pesos. The government would receive 841.9 billion pesos in taxes: 352.0 billion pesos from the income tax, 330.6 billion pesos from the value-added tax (VAT), and 94.1 billion pesos from the excise tax on production and services. The president's bill contemplated 432.6 billion pesos from fees, including 420.3 billion pesos from fees paid for the exploitation of hydrocarbons by Pemex. The Fox administration expected income from parastatal industries in the amount of 582.2 billion pesos, including 228.9 billion pesos from Pemex. The net income from debt financing by the federal government was set at 159 billion pesos. Fox set a debt ceiling of 180 billion pesos for the federal government, and a debt ceiling of 1.6 billion pesos for the Federal District. The government suggested a programmed budget surplus of 17.6 billion pesos.

The Finance Committee modified the Revenue Law, increasing total expected revenue by 92.3 billion pesos to 1.974 trillion (an increase of 4.9 percent). Part of this was a consequence of it assigning a higher price to exported Mexican oil. The Fox administration projected an export price of \$31.50 per barrel; the Finance Committee increased the price by \$5 to \$36.50. The Finance Committee lowered the expected revenue from all taxes by 5 billion pesos. They expected 23 billion pesos in more revenue from the income tax (a 6.5 percent increase) and 5 billion more from the value-added tax, based mostly on more optimistic expectations of revenue collection and enforcement. They expected a 67.2-percent decline in revenue from gasoline and diesel, a 38 billion pesos tax cut. They expected a 4.8 billion pesos increase in revenue from the tax on petroleum yields. In the area of federal fees, they expected revenue from the fees on hydrocarbons to decline by 2.6 billion pesos. These tax cuts for Pemex were part of a package on the Federal Fees Law meant to improve the financial state of the company; this tax reform was introduced in the fall 2004 term, but finally approved in 2005. The Finance Committee increased the expected revenue from Pemex business by 31.5 billion pesos (an increase of 5.4 percent). The deputies also increased expected revenue from debt financing by 42.8 billion pesos, increasing the net income from debt financing to 201.7 billion pesos (an increase of 26.9 percent). The debt ceiling was raised by 42 billion pesos to 222 billion.

The committee report of the 2006 Revenue Law included material from 12 other bills from deputies, senators, and state legislatures. The report was approved on the floor of the Chamber of Deputies on October 27 by a vote of 372 in favor, 6 opposed, and 6 abstentions. Subsequently, the chamber rejected most of the amendments offered by the PRD and the PRI delegations. The Senate made minor adjustments to the Revenue Law, mostly to reflect the earlier adjustments in the Federal Fees Law regarding Pemex. The Senate approved the bill on November 10 by a vote of 79 in favor to 4 opposed. The Chamber of Deputies reconsidered the bill, with the Senate amendments, on November 14 by a vote of 429 in favor to 2 opposed. Compared to recent years, the Revenue Bill for the last year of the presidential administration breezed through passage.

Every year, the president introduces an omnibus tax reform package, which includes modifications to a series of tax laws. Usually, the Finance Committee of the Chamber of Deputies splits the package into separate bills, often one per tax law, and reports each separately. In the fall 2005 term, the committee divided the tax package into two pieces, one that covered all of the reforms to the tax laws, and one that dealt with amendments to the Federal Fiscal Code (which deals with procedures and sanctions). The tax laws that Fox proposed for relatively modest amendment were the Income Tax Law, the Excise Tax on Production and Services Law, and the New Car Tax Law. For the first time, the president did not propose amendments to the Value-Added Tax Law, not surprising in an election year.

The amendments to the Income Tax Law would eliminate the income tax on interest for foreign residents abroad who invest in financial derivatives in Mexico (bonds from the central bank, debt bonds, etc.) and would offer tax benefits for real estate trusts. The modification to the excise tax would lower the tax on beer sold in recyclable containers. The amendments to the new car tax would establish a fund for states who participate in the administration of the tax as compensation for the loss in revenue from the expanded import of used cars.

The report from the Finance Committee included material from 37 other bills that had been introduced by deputies, senators, and state legislatures. The modifications added to the Income Tax Law include extending a specific tax exemption program for *maquiladoras* to 2011, the addition of human rights organizations in the list of eligible charitable organizations, and increased controls on money or financial instruments that might have ties to international terrorism or money laundering. The Finance Committee modified the bill to extend the exemption of the excise tax on soft-drink beverages made with sugarcane or corn syrup. The committee also introduced amendments to the VAT in the report, modifying the simplified regime for small contributors.

The committee report was approved on the floor of the Chamber of Deputies on October 27 by unanimous vote. The Senate made minor modifications to the Income Tax Law to prevent triangulations between domestic and foreign affiliates through internal sales at undervalued prices. The upper chamber also removed the extension of the exemption from the excise tax on corn syrup, maintaining it only on sugarcane. The bill was approved in the Senate on November 10 by a vote of 78 in favor and 1 abstention. The Chamber of Deputies approved the modified version of the bill on November 14.

The Finance Committee had split off the section of the omnibus tax reform that dealt with the Federal Fiscal Code. The committee added material from 6 other bills, rejected that of 21 others, and reported the bill to the floor for its first reading on December 13. The PRI opposed several parts of the bill, including a section that would result in audits of persons who receive 50,000 pesos or more in their bank accounts, usually from remittances from a family member abroad. The PRI argued that this would create a double imposition, taxing income first in the United States and then a second time in Mexico. The PRI also opposed home audits, jail time for not filing monthly income reports (even when no taxes were owed), and forcing Mexicans abroad to pay income tax at home if the tax rate of the country they resided in was less than 75 percent that of Mexican levels. The PAN was willing to raise the audit threshold for remittances to 200,000 pesos. On December 14, the last day of the fall term, the PRI walked out of the chamber, recognizing that they lacked the votes to block the legislation. This broke the quorum of the chamber, and the term ended without a formal declaration of closure. The Chamber of Deputies took up the legislation again in April 2006, and both chambers approved a corrected version of the bill by the end of the spring 2006 term.

Also, as part of his budget package, Fox proposed modifications to the Federal Fees Law (*Derechos*); this law establishes user fees for government services or rights to exploit certain types of public property (including natural resources). Fox's bill amended fees for television and radio broadcasting, cinematography, importation (other than customs), ports, mining, telecommunications, education, environmentally protected areas, cultural public property, airspace, water, tax stamps, and inspections by government agencies. The bill would eliminate fees for regulatory paperwork and procedures for radio and television transmissions, and adjust fees for the classification of movies. Before, there were different fees for the exploration and exploitation of mineral rights; these would be consolidated. The new bill would also establish a lower fee structure for marginal municipalities in Mexico's southeast.

The Finance Committee of the Chamber of Deputies added minor amendments to the bill, incorporating one bill from a deputy but rejecting four other bills from deputies and one from the state legislature of Quintana Roo. On October 27 the bill was approved on the floor of the Chamber of Deputies by a vote of 393 in favor and 3 abstentions. The Senate made modifications regarding national environmentally protected areas and then approved the bill unanimously on November 10. The Chamber of Deputies approved the modifications on November 14 by a vote of 423 in favor and 1 abstention.

On September 7, the president also submitted the Federal Budget for 2006, which deals only with appropriations. The president's proposal called for 1.881 trillion pesos in expenditures. The Budget Committee of the Chamber of Deputies made relatively minor modifications to the 2006 budget (minor compared to the FY2005 budget, which Fox vetoed; major compared to the modifications of the budget by the chamber in the days when the PRI controlled a majority). In its report, the Budget Committee increased total expenditures by 92.3 billion pesos, up 4.9 percent, to 1.974 trillion pesos. This general increase was established in the

Revenue Law, discussed above. The committee also reassigned more than 89 billion pesos in expenditures.

The committee increased expenditures in the federal executive branch by 53 billion pesos, 13 percent more than the executive's bill. Much of this went to specific programs that were important to cover in an election year. For example, the Chamber of Deputies increased expenditures to the Ministry of Communications and Transportation by 13.6 billion pesos, a rise of 67 percent, mostly for roads and highways. It increased the budget for the Agriculture Ministry by 13.5 billion pesos, 36 percent, mostly for rural development. The budget for the Education Ministry was increased by 12.1 billion, a 9.6 percent increase. The Agrarian Reform Ministry's budget was increased by 1.6 billion pesos, 54.6 percent. The expenditures for the Environment Ministry were raised by 4.3 billion pesos, an increase of 25.4 percent over the executive's budget. Furthermore, the budget for the National Science and Technology Council was increased by 980 million pesos, up 12.4 percent.

Some of these transfers were paid for by cuts in the budgets of other branches of government. The budget of the judicial branch was decreased by 5.2 billion pesos: the Supreme Court's budget was decreased by 500 million pesos, 14.5 percent lower than the president's budget; the rest of the judicial branch (inferior federal courts, the Judicial Council, etc.) was cut by 4.4 billion pesos, down 18.5 percent. The Electoral Tribunal's budget was decreased by 248 million pesos, a decrease of 19.1 percent, and the budget of the Federal Electoral Institute (IFE) was decreased by 1.0 billion pesos, down 8.0 percent. It is somewhat surprising to see the parties cut the budgets of the electoral authorities in an election year.

The Chamber of Deputies cut the budget of the legislative branch as well, by 884 billion pesos, down 11.4 percent from the president's budget. Not surprisingly, 82 percent of the cut came from the Senate's budget (only the lower chamber approves the budget; the Senate is excluded from the appropriations process).

Elsewhere, the Chamber of Deputies zeroed out funding for the PAFEF (the Program to Subsidize the Strengthening of the States), because the subsidies were duplicating other programs in rural development and public health. The president had set the budget for the program at 22.5 billion pesos. At the same time, the chamber increased revenue sharing to the states by 8 billion pesos (for a total of 290.9 billion pesos). The budget of the Federal Electricity Commission (FCE) was increased by 6.1 billion pesos, a rise of 4.1 percent. Finally, the Chamber of Deputies cut debt servicing by 1.5 billion pesos, for a total of 182 billion pesos.

After approving all of the tax bills mentioned above, the Chamber of Deputies approved the federal budget in the early morning hours of November 15 by a vote of 367 in favor, 92 opposed, and 4 abstentions. The PRI, PAN, PVEM, and PT voted in favor. The PRD voted against (92 opposed, 2 abstentions). Two deputies from Convergencia voted in favor, and one abstained.

The new Law of the Institute of the National Worker Consumer Fund, introduced by Fox in April 2005, replaces the FONACOT system, which the Fox administration considers to be nonviable and insolvent. The new system would provide credit for workers for the purchase of consumer goods, mostly furniture and appliances. Unlike FONACOT, the new institute would be able to establish agreements with state and municipal governments and with other agencies in the

federal government to provide consumer credit to public servants. The committees made minor modifications to the bill, and the Chamber of Deputies approved the committee report on November 3, by a vote of 274 in favor, 70 opposed, and 12 abstentions. The PRD voted against, as did three of the four members of Convergencia who voted. The PRI, PAN, PVEM, and PT voted in favor (though 10 PRI deputies and 1 PAN deputy abstained).

The amendments to the General Law on Mutual Societies and Insurance, the Federal Law on Bonding Institutions, and the Insurance Contract Law were introduced by the Fox administration during the fall 2005 term, and described above. The Chamber of Deputies approved the bill without amendment on December 14, by a vote of 322 in favor, 6 opposed, and 4 abstentions.

The Chamber of Deputies also approved three bills that had originally been introduced by the federal executive into the Senate:

- The Law for the Computation of Military Service in the Mexican Army and Air Force;
- The Military Education Law for the Mexican Army and Air Force; and
- The Stock Market Law.

The Law for the Computation of Military Service in the Mexican Army and Air Force establishes new rules for calculating the number of years of service in the armed forces. The Senate had approved the law without amendment (which is not unusual for military bills, as the Congress often defers to the Defense and Navy Ministries). The Chamber of Deputies added minor corrections to the bill both in committee and on the floor. On December 14 the bill was approved by a vote of 372 in favor, and 2 abstentions.

The new Military Education Law for the Mexican Army and Air Force regulates the educational system for the army and air force in Mexico and abroad, as well as for foreigners who study in Mexican military institutions. On November 10 the Chamber of Deputies approved the bill unanimously without amendment.

The new Stock Market Law is a major regulatory reform that increases transparency, implements stricter accounting methods and reporting rules, and modernizes the policing of the market. It also modifies the structure of the stock exchange itself. The Chamber of Deputies made minor modifications in committee, and approved the bill unanimously on December 6.

The Chamber of Deputies also approved 28 bills from the Senate. These included 13 bills that had originated in the upper chamber (those introduced by the president are listed in the executive category). These bills included two constitutional amendments that are discussed below. It also included two public health bills, one legislative reform, and bills dealing with environmental crimes, the National Human Rights Commission, social security, and agriculture. The Chamber of Deputies also approved a bill that declared 2006 to be the Year of the Bicentennial of the Birth of Benito Juárez, and another that declared 2010 to be the Year of the Bicentennial of National Independence and to be the Year of the Centennial of the Mexican Revolution. The latter bill also created an organizing committee to run the festivities. In 2006, Fox named Cuauhtémoc Cárdenas, the son of revolu-

tionary hero Lázaro Cárdenas, former governor of Michoacán, and three-time presidential candidate, to head that committee.

The Chamber of Deputies approved 5 of the 13 bills without amendment and sent them to the executive for publication. It amended the remaining 8 bills and returned them to the Senate for further consideration.

The lower chamber also approved 15 bills that had originated in the Chamber of Deputies but had been modified in the Senate and returned for passage. These included three bills from the annual budget package, plus two other finance bills. It also included bills on agriculture, social security, banking, the environment, industrial property, and agrarian justice. The Chamber of Deputies approved 11 of these bills without amendment and sent them to the president. The other four bills were amended and sent back to the Senate for final consideration.

The Chamber of Deputies rejected 75 bills during the fall 2005 term, an unusually high number. These included 66 bills that had been introduced by deputies, including numerous bills from the 58th Legislature. The PVEM had introduced 22 of the rejected bills, the most of any party. The PRI had introduced 14, Convergencia 11, the PRD 9, and the PAN 7. Seventeen of the rejected bills dealt with commercial law, and another 16 with public health.¹⁰ The Chamber of Deputies rejected five crime bills, four tax bills, three bills on military matters, two on reforming the national lottery, and two others on social security.

The Chamber of Deputies also rejected one executive bill during the fall 2005 term: the amendments to the General Public Property Law introduced by President Fox in April 2001. This bill would have allowed the federal government to donate surplus federal public property to state, municipal, and private organizations (such as charities). Congress had passed similar legislation in March 2004, and the Finance Committee ruled that the executive bill was pointless.

The Chamber of Deputies also rejected three bills that it received from the Senate. One was the Federal Law for the Protection of Personal Information, approved by the Senate in the spring 2002 term. The bill was approved as part of a package with the federal transparency law (Mexico's freedom of information law) to protect personal data when the government released public data. The Interior Committee ruled that it would be an error to make this a federal law because the constitution did not specify that the protection of private information was within the sphere of the federal government. Instead, the legislation should establish rules for concurrence in the matter among the federal, state, and municipal governments. The committee also objected to the impact that the law would have on private data-mining and data-collection firms in Mexico, and claimed that citizens often want their personal data to be shared widely. The main objection was that the new law would conflict with the transparency law, which has tended to make a large amount of private information accessible to the public, with the committee putting more weight on the public's right to know than on the individual's right to keep personal

10. The Commerce and Health Committees did not receive an inordinate number of deficient bills. Rather these two committees have been particularly diligent in clearing out their archives and reporting on a large number of bills, both negatively and positively.

data private. This question will be revisited in future legislatures as a consensus emerges on how much personal information should be publicly available.

The Chamber of Deputies also rejected a bill from the Senate that would have amended the Social Security Law. The upper chamber had approved the bill in the spring 2003 term of the 58th Legislature. The bill would have reformed the regulation of daycare services in the social security system and allowed employers to provide their own daycare services outside of the system. The Chamber of Deputies thought it more prudent to spend more on daycare than to modify the regulations.

Between September 1 and December 14, 2005, the Chamber of Deputies approved the greatest number of bills of any fall term, smashing all previous records (see Table 4). During the last nine years of unified PRI government (the entire Salinas administration and the first three years of the Zedillo administration, 1988–1996) the Chamber of Deputies approved on average 24.6 bills each fall term. During these nine years, 73.8 percent of the approved bills had originated in the executive branch, while deputies had introduced only 25.4 percent. Of approved bills, during all of these years, senators had introduced only two.

Table 4. Bills Approved in the Chamber of Deputies in the Fall Terms, 1990–2005

Legislature	Year	Executive	%	Deputies	%	Others	%	Senate	%	Total	Total Reports
54th	1988	15	78.9	4	21.1	0	0.0	0	0.0	19	18
	1989*	19	86.4	3	13.6	0	0.0	0	0.0	22	22
	1990*	15	60.0	10	40.0	0	0.0	0	0.0	25	25
55th	1991*	21	77.8	6	22.2	0	0.0	0	0.0	27	25
	1992*	21	63.6	12	36.4	0	0.0	0	0.0	33	27
	1993*	21	84.0	3	12.0	0	0.0	1	4.0	25	25
56th	1994*	8	66.7	4	33.3	0	0.0	0	0.0	12	12
	1995	20	83.3	4	16.7	0	0.0	0	0.0	24	24
	1996	23	67.6	10	29.4	0	0.0	1	2.9	34	27
57th	1997	12	60.0	6	30.0	2	10.0	0	0.0	20	18
	1998	15	35.7	22	52.4	2	4.8	3	7.1	42	29
	1999	12	37.5	13	40.6	1	3.1	6	18.8	32	27
58th	2000	8	29.6	14	51.9	2	7.4	3	11.1	27	21
	2001	21	25.9	40	49.4	11	13.6	9	11.1	81	52
	2002	22	15.6	84	59.6	20	14.2	15	10.6	141	63
59th	2003	8	17.8	18	40.0	5	11.1	14	31.1	45	31
	2004	18	12.1	82	55.0	23	15.4	26	17.4	149	87
	2005	14	6.6	150	70.8	20	9.4	28	13.2	212	112

* Two-month fall terms (November 1–December 31).

During the 57th Legislature (fall terms 1997–1999), the first recent period of divided government, an average of 31.3 bills were approved in the fall terms. The immediate impact of divided government was an increase of 27.6 percent in the number of bills approved over the average of the last years of unified government. The president sponsored 41.5 percent of the approved bills during the fall terms of the 57th Legislature, a major drop from the period of PRI control. The deputies had introduced 43.6 percent of the approved bills.

In the Fox administration, the number of bills approved in the fall terms has exploded. In the 58th Legislature (fall terms 2000–2002), on average 83 bills were approved in the autumn sessions, an increase of 165 percent over the average of the 57th Legislature. The president had introduced only 20.5 percent of the approved bills, less than half his share in the previous legislature. The deputies had introduced 55.4 percent, while senators had sponsored 10.8 percent. The number of reports approved in the 58th Legislature increased less dramatically.¹¹ During the 57th Legislature, an average of 24.7 reports was approved each fall term. In the 58th, the average number of reports that passed the chamber was 45.3, representing an increase of 83.8 percent.

In the 59th Legislature (fall terms 2003–2005), the average number of bills approved in the fall terms increased to 135.3, an increase of 63.1 percent over the 58th Legislature. In the fall 2003 term, however, only 45 bills were approved, mostly because the committees started to operate in mid-autumn. The real activity in the fall terms began in the 2004 term, when 149 bills were approved, breaking the record set in 2002. The 212 bills approved in the fall 2005 term represent an increase of 42.3 percent over the previous year. The president had sponsored only 9.9 percent of the approved bills. The deputies had sponsored 61.6 percent, and the senators had introduced 16.7 percent of the total. An average of 76.7 reports was approved in the fall terms of the 59th Legislature, an increase of 69.1 percent over the previous legislature.

Clearly, divided government has not led to total gridlock in the Chamber of Deputies. The president continues to have his bills approved in generally the same quantity as before.¹² Under divided government, however, logrolling has led to the deputies approving many more of their own bills.

The Senate in the Fall 2005 Term

During the fall 2005 term, the Senate continued to set records for productivity. More bills were introduced and more bills were approved in the upper chamber in the fall 2005 term than in any previous fall session. A total of 256 bills or treaties were introduced between September 1 and December 15, 2005 (see table 5). Forty

11. The number of bills approved is inflated somewhat when the committees combine many bills into a single report. For example, the omnibus tax bill contained 38 bills, the Revenue Law 13, and the new Budget and Treasury Responsibility Law 22.

12. The variations are more due to how many bills the Finance Committee makes out of the tax packages that are introduced by the president. Since each has a different destiny, these are accounted for separately.

were constitutional amendments, 201 were new pieces of legislation or amendments to existing statutes, and 9 were treaties submitted by the president.

Table 5. Bills Introduced in the Senate, September 1 through December 31, 2005

Sponsor	Laws	Constitutional Reforms	Treaties	Total	Percent of Total
Senator-PRI	54	13		67	26.2
Senator-PAN	26	12		38	14.8
Senator-PRD	9	4		13	5.1
Senator-PVEM	21	6		27	10.5
Senator-Independent	1	1		2	0.8
Committees	3	0		3	1.2
Executive*	5	0	9	20	7.8
Chamber of Deputies	82	4		86	33.6
Total	201	40	9	256	100.0

* Total includes five requests for authorization to travel outside of the country, and one request to send the Mexican Army and Navy to the United States to provide aid to victims of Hurricane Katrina.

In the upper chamber senators introduced 150 bills, 58.6 percent of the total. They introduced 36 constitutional reforms, 90 percent of the total that entered their chamber during the fall term. PRI senators introduced 67 bills, including 13 constitutional amendments. This represented 26.2 percent of the total pieces of legislation, more than any other party. The PAN introduced 38 bills, including 12 constitutional reforms, representing 14.8 percent of the total. The five-member PVEM delegation introduced 27 bills, 10.5 percent of the total. The PRD senators introduced 13 bills, only 5.1 percent of the total.

The president submitted 20 pieces of legislation to the Senate during the fall 2005 term. These included five regular bills, nine treaties, five requests for authorization to travel abroad, and one request to send the Mexican Army and Navy to the United States to provide aid to victims of Hurricane Katrina. The constitution requires that the Senate consent to sending the Mexican armed forces abroad for any reason. The president submitted this request on September 6, and the Senate unanimously approved the authorization under suspension of rules on the same day. The constitution also requires congressional approval for the president to travel abroad for any reason. President Fox has, by custom, introduced these requests in the Senate, which, after approval, sends the request to the Chamber of Deputies. Fox asked permission to travel to New York to attend a UN General Assembly meeting. He went on a working visit to Vancouver and Calgary in late September.¹³ He also traveled to Spain, to participate in the Iberoamerican Summit

in Salamanca in October, as well as to pay working visits to Cantabria, Catalonia, and Valencia. In November, Fox made a state visit to Costa Rica, and then attended the Summit of the Americas and the meeting of the Río Group in Argentina. Also in November, Fox traveled to South Korea to participate in an APEC meeting. The Senate approved all five travel authorizations unanimously.

The president submitted seven bilateral agreements: two with Korea (on cooperation on crime and customs), two with Panama (on air transportation and the promotion and protection of investments), and one each with Australia (on investments), China (on taxation), and Estonia (on cooperation on education, culture, and sports). Fox also sent the Senate an international agreement on shipping standards and the 1997 amendments to the Montreal protocol on substances that damage the ozone layer.

President Fox did not send any regular legislation to the Senate as chamber of origin, though the following five executive bills did enter the upper chamber after having been approved by the Chamber of Deputies:

- The Federal Revenue Law for fiscal year 2006;
- Amendments to tax legislation (*Miscelánea Fiscal*);
- Amendments to the Federal Fees Law;
- Law of the Institute of the National Worker Consumer Fund; and
- Amendments to the General Law on Mutual Societies and Insurance, the Federal Law on Bonding Institutions, and the Insurance Contract Law.

All of these bills were described above. All three revenue bills were approved on November 10, though the *miscelánea fiscal* faced some highly divisive votes.

The Chamber of Deputies sent 86 bills to the Senate after approving them in the lower chamber. Together these represented more than a third of all of the legislation considered in the upper chamber during the fall 2005 term. The Chamber of Deputies sent 71 deputy-sponsored bills to the Senate after approving them in the lower chamber. These included nine crime bills, nine public health bills, seven tax bills, seven commerce bills, four bills dealing with youth and sports, three bills dealing with social development, two bills protecting the rights of senior citizens, two bills dealing with science and technology, one piece of environmental legislation, and the new budget law. The Chamber of Deputies also sent the Senate legislation to create an agronomy university in Coahuila, a law to protect the intellectual property of the Red Cross (its denomination and emblem), and a law to promote the exploitation of renewable sources of energy, such as wind, solar, hydroelectric, geothermal, ocean waves, ethanol, methanol, and methane gas.

The Chamber of Deputies also returned 15 bills to the Senate after amending them in the lower chamber. These included two public health bills, the new Organic Products Law, and the new Stock Market Law. The Chamber of Deputies also sent four constitutional amendments to the Senate: two electoral reforms, a reform to

13. This trip was originally planned for April 2002. The Senate had rejected its authorization on April 9, 2002, however, due to conflicts with the president over unrelated foreign policy.

make INEGI (National Institute of Statistics, Geography, and Information) more autonomous, and a public-security reform.

More bills were introduced in the Senate during the fall 2005 term than in any previous fall term (see Table 6).¹⁴ During the 55th and 56th Legislatures (fall terms 1991–1996), when the PRI had an overwhelming majority of seats in the Senate, on average 24.2 bills were introduced in the upper chamber during the fall terms. Of these, 73.1 percent were sponsored by the president and only 22.1 percent were introduced by senators. During the 57th Legislature (fall terms 1997–1999), the average number of bills introduced increased to 37.3 per year (representing an increase of 54 percent over the previous six fall terms). The share of executive bills fell to 38.4 percent, while the proportion of senator-sponsored bills increased to 39.3 percent.

Table 6. Bills Introduced in the Senate in the Fall Terms, 1990–2005

Legislature	Year	Executive	%	Senators	%	Others	%	Chamber of Deputies	%	Total
55th	1991*	20	90.9	1	4.5	0	0.0	1	4.5	22
	1992*	19	82.6	2	8.7	0	0.0	2	8.7	23
	1993*	18	90.0	2	10.0	0	0.0	0	0.0	20
56th	1994*	7	87.5	1	12.5	0	0.0	0	0.0	8
	1995	20	71.4	6	21.4	0	0.0	2	7.1	28
	1996	22	50.0	20	45.5	1	2.3	1	2.3	44
57th	1997	15	44.1	12	35.3	0	0.0	7	20.6	34
	1998	13	37.1	10	28.6	1	2.9	11	31.4	35
	1999	15	34.9	22	51.2	0	0.0	6	14.0	43
58th	2000	9	20.0	26	57.8	0	0.0	10	22.2	45
	2001	23	19.0	76	62.8	0	0.0	22	18.2	121
	2002	19	14.8	79	61.7	2	1.6	28	21.9	128
59th	2003	10	9.8	80	78.4	0	0.0	12	11.8	102
	2004	13	6.5	134	67.0	3	1.5	50	25.0	200
	2005	11	4.5	150	60.7	0	0.0	86	34.8	247

Treaties are excluded.

* Two-month fall term (November 1–December 31).

No party controlled a majority in the Senate during the 58th and 59th Legislatures. During the years of divided government, the number of bills introduced

14. In Table 6, treaties are excluded, primarily because prior to the 57th Legislature, treaties were considered in executive session (in secret), so the dates of introduction and approval are uncertain.

increased dramatically in the upper chamber. During the fall terms of the 58th Legislature (fall terms 2000–2002), on average 98 bills were introduced each year, an increase of 162.5 percent over the mean of the 57th Legislature. The number of bills shot up dramatically in the fall 2001 term, when 121 bills were introduced (an increase of 169 percent over the fall 2000 term). In the fall 2002 term, 128 bills were presented in the Senate. The president had sponsored only 17.3 percent of the bills that entered the Senate during the fall terms of the 58th Legislature, while the senators had introduced 61.6 percent of the total.

In the first fall term of the 59th Legislature (fall terms 2003–2005), the number of bills introduced dropped to 102, mostly because fewer bills were introduced by the president and by the Chamber of Deputies (which was renewed at the beginning of fall 2003). In the fall 2004 term, however, a record 200 bills were introduced, representing an increase of 96.1 percent over the fall 2003 term. This record was broken in the fall 2005 term, when 247 bills were introduced in the Senate (23.5 percent more than in the previous year). During the fall terms of the 59th Legislature, only 6.2 percent of the bills had originated in the executive branch, while nearly two-thirds had been introduced by senators. Only 4.5 percent of the regular bills (excluding treaties) had been sponsored by the president in the fall 2005 term, compared to 90 percent in the fall 1991 and 1993 terms.

The Senate approved a record number of bills in the fall 2005 term. Between September 1 and December 15 it approved 97 bills and 18 treaties. Among these were 33 bills that had been sponsored by senators, representing 28.7 percent of the total. The PRI had sponsored 19 of the approved bills, 16.5 percent of the total. The PVEM had sponsored six of the approved bills, and the PAN had sponsored 4. None of the approved bills had been presented by PRD senators.

Table 7. Resolution of Bills in the Senate, September 1 through December 31, 2005

Sponsor	Approved	Rejected
Senator-PRI	19	13
Senator-PAN	4	9
Senator-PRD	0	4
Senator-PVEM	6	12
Senators in Coalition	4	2
State Legislatures	0	3
Executive*	30	1
Chamber of Deputies	52	11
Total	115	55

* Total includes five requests for authorization to travel outside of the country, and one request to send troops abroad. The total also includes 18 treaties approved and 1 rejected.

The 33 approved bills that had been sponsored by senators included three banking bills, two commerce bills, two education bills, and two legislative reforms. The Senate also approved three environmental bills, including a bill that would regulate the disposal of batteries; this last bill was eventually vetoed by President Fox in September 2006. One of the bills would modify the Federal Law on Transparency and Access to Information, requiring privacy rights to be weighed against the public's right to know. The Senate also passed the new Law to Prevent Human Trafficking.

The Senate also approved eight constitutional amendments that had been proposed by senators (some of them jointly in a single committee report). These are discussed below.

The Senate approved a total of 30 bills that had originally been sponsored by the federal executive. These include six regular bills, five authorizations to travel, and one authorization to send troops abroad to participate in a disaster-relief operation. Furthermore, the Senate approved 18 treaties during the fall 2005 term. The approved treaties included 11 bilateral accords: three with China (on crime assistance, maritime transport, and taxes), two with Paraguay (on crime assistance and extradition), one with Iceland (on investment protection), one with Honduras (on maritime boundaries), one with Bolivia (on crime assistance), one with Russia (on crime assistance), one with Estonia (on education, culture, and sports), and one with Latvia (on education, culture, and sports). The upper chamber also approved two modifications to Mexico's Free Trade Agreement with Colombia and Venezuela; amendments to Mexico's Free Trade Agreement with El Salvador, Guatemala, and Honduras; an agreement with the Inter-American Conference on Social Security; the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage; the Final Acts of the 2003 World Radiocommunication Conference; and the 1996 Protocol of the London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter.

The Senate approved the following six regular bills from the executive branch:

- The Federal Revenue Law for fiscal year 2006;
- Amendments to tax legislation (*Miscelánea Fiscal*);
- Amendments to the Federal Fees Law;
- Amendments to the Federal Criminal Procedures Code;
- Amendments to various criminal codes and financial services laws; and
- Amendments to the General Public Health Law, the Federal Criminal Code, and the Federal Criminal Procedures Code.

The first three bills were part of the 2006 budget package. All three were amended by the Senate and returned to the Chamber of Deputies for approval. The three crime bills are discussed above in the section on the Chamber of Deputies.

The Senate approved 52 bills that it had received from the Chamber of Deputies. Forty of these bills had originated in the Chamber of Deputies, while the remaining 12 had been previously approved in the Senate but had been sent back from the lower chamber after amendment. The approved bills included nine tax bills, seven environmental bills, five public health bills, and three crime bills. One

was an indigenous rights bill. Eighteen of the bills were amended by the Senate and returned to the Chamber of Deputies.

The Senate rejected 55 bills during the fall 2005 term. Thirteen of the rejected bills had been introduced by PRI senators, and 12 by the PVEM. Nine bills from the PAN and four from the PRD were also discarded. The Senate rejected one treaty: the Financial Cooperation Accord between Mexico and the European Investment Bank (EIB), signed in Luxembourg in 2003. In their report, the committees argued that the agreement delegates too much power to the Finance Ministry. They objected to the fact that the EIB and its intermediaries would be exempt from Mexican federal taxes, arguing that protections should only be extended to prevent double taxation. The Senate was also concerned about potential infringement of the nation's sovereignty over monetary and exchange-rate policy, because the accord would have required the Bank of Mexico to inform the EIB of eminent difficulties in the balance of payments, and how it intended to resolve the problem. The Senate suggested that the accord be renegotiated. The negative report on the treaty was approved by a vote of 65 to 6, with 12 abstentions, and it was returned to the federal executive.¹⁵ In March 2006 the agreement was renegotiated and approved by the Senate.

The Senate rejected 11 bills from the Chamber of Deputies during the fall 2005 term. Two of these bills (amendments to the Customs Law and amendments to the General Credit Titles and Operations Law) had originally been approved in the Senate, and later rejected by the Chamber of Deputies. The Senate agreed with the lower chamber in rejecting these bills. The other nine bills had been introduced by deputies in the lower chamber. One of these would have classified certain environmental crimes as organized crime. The Senate considered the two incompatible, and that it would be better to deal with environmental crimes through prevention rather than repression. The Senate also rejected a bill to amend the General Public Health Law to prevent and prohibit discrimination because of HIV infection or AIDS. The bill from the Chamber of Deputies would make all testing voluntary, and prohibit the requirement of HIV testing for employment. The Senate argued that federal health regulations already prohibited discrimination and mandatory HIV testing; furthermore, the Federal Law to Prevent and Eliminate Discrimination, approved in the interim, already covered the issue of discrimination. The Senate also rejected a bill that would amend federal public-security legislation to add a federal deputy and a senator to the National Council on Public Security, arguing that it would violate the separation of powers.

The Senate also rejected the Federal Law for the Promotion of Craftworks. The bill was rejected on the floor without discussion by a vote of 39 in favor, 60 opposed, and one abstention. All three major parties had senators who voted in favor and against. The Senate also rejected environmental legislation on sustainable hunting and two bills that had been superseded by other legislation.

The Senate approved more bills in the fall 2005 term than in any recent previous fall term. Table 8 compares the productivity of the Senate in each of the fall terms between 1991 and 2005 (excluding treaties). Between 1991 and 1999, when the PRI

15. The PAN senators split their votes 16 in favor and 6 opposed, with 11 abstentions.

held a majority in the upper chamber, the Senate approved on average 22.2 bills in each of the fall terms. During this period, the president had introduced 79.1 percent of the approved legislation. Only 8.8 percent of the approved bills had been presented by members of the upper chamber. In fact, during the 55th and 56th Legislatures (fall terms 1991–1996), senators had introduced only two of the approved bills (representing 1.9 percent of the total for that period).

Table 8. Bills Approved in the Senate in the Fall Terms, 1990–2005

Legislature	Year	Executive	%	Senators	%	Others	%	Chamber of Deputies	%	Total	Total Reports
55th	1991*	21	95.5	0	0.0	0	0.0	1	4.5	22	22
	1992*	19	95.0	0	0.0	0	0.0	1	5.0	20	20
	1993*	18	94.7	1	5.3	0	0.0	0	0.0	19	19
56th	1994*	7	100.0	0	0.0	0	0.0	0	0.0	7	7
	1995	19	95.0	0	0.0	0	0.0	1	5.0	20	19
	1996	23	92.0	1	4.0	0	0.0	1	4.0	25	25
57th	1997	10	62.5	2	12.5	0	0.0	4	25.0	16	15
	1998	12	50.0	3	12.5	0	0.0	9	37.5	24	24
	1999	15	51.7	9	31.0	0	0.0	5	17.2	29	27
58th	2000	8	44.4	0	0.0	0	0.0	10	55.6	18	18
	2001	21	37.5	15	26.8	0	0.0	20	35.7	56	51
	2002	22	26.5	45	54.2	0	0.0	16	19.3	83	74
59th	2003	12	15.2	48	60.8	2	2.5	17	21.5	79	63
	2004	13	15.1	47	54.7	1	1.2	25	29.1	86	77
	2005	12	12.4	33	34.0	0	0.0	52	53.6	97	91

Treaties are excluded.

* Two-month fall term (November 1–December 31).

Divided government dramatically increased the productivity of the Senate. In the 58th Legislature (fall terms 2000–2002), the Senate approved on average 52.3 bills in each of the fall terms, an increase of 159 percent over the average of the previous nine years. During the fall terms of the 58th Legislature, the federal executive had sponsored 32.5 percent of the approved legislation, while the senators had been responsible for 38.2 percent.

During the 59th Legislature, the Senate approved on average 87.3 bills in the fall terms, an increase of 67 percent over the mean of the 58th Legislature. Only 14.1 percent of the bills had originated in the executive branch, while nearly half (48.9 percent) had been introduced by senators. In the 2005 fall term, the Chamber of Deputies sent over half of the bills approved by the Senate, its highest percentage

since the fall of 2000 (when both the president and the Senate were in the process of adjustment, and the total number of bills approved was diminished).

Constitutional Amendments Approved by Congress in the Fall 2005 Term

The chambers of Congress approved 10 constitutional reforms during the fall 2005 term, though only one was approved by both the Senate and the Chamber of Deputies and sent to the state legislatures. The amendment that went to the state legislatures modified articles 26 and 73 of the constitution to make INEGI an autonomous agency. INEGI would have a five-member governing board nominated by the president and confirmed by the Senate. The goal of the amendment is to increase the credibility and neutrality of statistical information provided by the government (including the population census, poverty indices, and commercial data). The bill was approved by the Senate in December 2003, approved unanimously with amendments in the Chamber of Deputies in October 2005, and returned to the Senate for final passage on November 24.

The Senate approved two constitutional electoral reforms for the Federal District. One bill, approved unanimously on October 4, would eliminate the majority-assuring clause for the Federal District Legislative Assembly. The local assembly has 40 deputies elected in single-member districts, and 26 elected from party lists by proportional representation. The current rules stipulate that the party that wins the greatest number of districts will automatically be granted a majority of the 66 seats, so long as it receives at least 30 percent of the total vote. The reform of article 122 would eliminate the last clause, and replace it with one in which no party could win more than 40 seats under any circumstance, and no party could win a share of seats exceeding by more than 8 percent its portion of the vote in the Federal District (the rules are identical to those used for federal deputies).¹⁶ Another reform of article 122, approved on November 22, would permit local parties to compete in the Federal District. Currently only political parties with national registration can participate in Federal District elections. The Chamber of Deputies had not approved either of the two reforms by the end of the 59th Legislature.

The Senate also approved a constitutional amendment that would reform article 1 of the constitution prohibiting discrimination. The article currently prohibits discrimination against persons with “different abilities” or capacities. The Senate replaced this terminology with “disabilities,” in accordance with WHO standards.¹⁷

16. If a party wins too many seats by proportional representation, the extra seats are divided proportionally among the other parties. This rule guarantees that no party holds more than 60 percent of the seats, requiring the cooperation of at least one other party for two-thirds votes. It also limits overrepresentation from the single-member district victories that are common in the Federal District. In all but one (2000) of the elections to the local assembly since 1988, the winning party has won an overwhelming majority of the districts, at least 90 percent.

17. The original language, placed in the constitution as part of the 2001 indigenous reform, had “politically correct” intentions, with the understanding that “disabilities” had negative connotations. However, the language conflicted with international treaties.

The bill was approved unanimously in the Senate on November 29. The lower chamber approved the amendment in April 2006.

The Senate approved amendments to articles 76 and 89 of the constitution that would require the president to submit any decision to terminate, denounce, suspend, modify, amend, withdraw reservations, or formulate interpretative declarations of any treaty or international agreement. Currently, the constitution only requires Senate approval of new treaties. In both cases, the approval requires a majority vote. The Congress hoped to prevent any future presidents from unilaterally denouncing or suspending treaties, and was specifically targeted at López Obrador, who had made clear his opposition to NAFTA. The Senate approved the reform on December 6, and the Chamber of Deputies passed the amendments in April 2006.

A reform to article 99 of the constitution, approved by the Senate on December 13, 2005, limits the Electoral Tribunal's jurisdiction over state elections to cases in which there is a violation of the federal constitution. The Chamber of Deputies approved this reform in April 2006. Curiously, the PRD voted against the bill in the lower chamber, a show of confidence in an institution that the party would later impugn after the 2006 elections.

On the last day of the fall 2005 term, the Senate passed an amendment to article 135. This article deals with procedures of amending the constitution. The article currently stipulates that both chambers of Congress must approve amendments by a two-thirds vote, and that a majority of the state legislatures must pass the reform (without mentioning the threshold required in the states). The reform would require the state legislatures to approve the reforms by a two-thirds vote. Furthermore, a quorum of two-thirds of the legislators of the federal and state chambers must be present in order to vote on constitutional reforms. Currently, the federal Congress requires only a majority of members to be present. This reform, particularly the two-thirds requirement for passage in the state legislatures, would make it more difficult to approve constitutional reforms. It would also allow the PRI to block constitutional reforms in the states when it cannot do so in the federal Congress of the 60th Legislature (2006–2009), as it controls more than one-third of the seats in far more than half of the state legislatures. The Senate passed the bill by a vote of 71 in favor, 24 opposed, and 4 abstentions. The votes against were from the PAN, though the party also had members who voted in favor.¹⁸ The Chamber of Deputies did not approve the bill during the remainder of the 59th Legislature, nor is it likely to, considering the balance of forces in the 60th.

On September 27, 2005, the Chamber of Deputies approved a constitutional amendment that would authorize the federal government to legislate in matters of chemical substances, explosives, and pyrotechnics. This bill was part of a larger package dealing with fireworks safety. On the same day, the lower chamber also approved a bill that would require the head of government of the Federal District to resign his or her post at least six months before the election, as is currently the case

18. Had the rule been in effect for this vote, the senators voting against would have left the chamber, and the requisite 84 senators would not have been present to pass the bill.

with governors and cabinet ministers. The Senate did not act on either piece of legislation during the rest of the 59th Legislature.

The Chamber of Deputies also approved a bill that would reform article 55 of the constitution regarding the eligibility of candidates for the federal Congress. The bill had originated in the Senate and entered the lower chamber in December 2003. The deputies modified the bill in committee, and approved it on September 12, 2005. Currently, cabinet ministers, undersecretaries, and Supreme Court justices cannot run for Congress unless they definitively resign from their posts at least 90 days before the election. This bill would extend the restriction to heads of autonomous agencies (such as the Bank of Mexico or the National Human Rights Commission) or to heads of decentralized agencies (such as Pemex). The constitution also currently requires the cabinet secretaries of state governments and federal or local judges to resign from office at least 90 days before the election if they seek a congressional seat in their jurisdiction. This reform would extend the rule to cabinet-level posts and delegates/city councilmen in the Federal District, as well as to mayors in all 31 states.¹⁹ Furthermore, the constitution prohibits governors from running for Congress in their states during the term that they were elected, regardless of whether they resign. The bill extended the prohibition to the head of the Federal District government. The amended bill was returned to the Senate for its consent on the modifications, but the upper chamber did not act on the reform for the rest of the 59th Legislature.

Legal Reforms Approved by Both Chambers in the Fall 2005 Term

During the fall 2005 term, the Congress sent 51 regular bills to the president for publication (excluding authorizations, constitutional amendments, and treaties). The Chamber of Deputies sent 18 bills to the executive, while the Senate sent 33. These regular bills included 13 treasury bills (a typical amount for a fall term), 3 crime bills, 3 public health bills, 3 bills amending environmental legislation, 2 legislative procedural reforms, 2 social security bills, and 2 laws regarding the military.

Of the 51 bills sent to the executive, 30 met final approval in the second chamber (58.8 percent), the minimum passage necessary for most regular legislation. The Congress gave final approval to 17 bills in the third chamber (“third chamber” here refers to cases, for example, where the bill is introduced and approved in the Senate, amended in the Chamber of Deputies, and then approved again in its revised form in the Senate—the third chamber it has passed into). Three bills were approved in the fourth chamber—that is, both chambers saw the bill twice. One bill, the Federal Budget, was approved in the first chamber, because the Senate does not review appropriations legislation.

The approved bills included five new laws: the Law for the Computation of Military Service in the Mexican Army and Air Force, the Military Education Law for

19. The bill refers to the *Secretarios de Gobierno* of the states and the Federal District and the *Delegados* of the Federal District.

the Mexican Army and Air Force, the Stock Market Law, the Organic Products Law, and the Federal Law of Procedures for Administrative Disputes. The first three have been described previously. The Organic Products Law, originally introduced by the PRD in the Senate, regulates the denomination of organically grown foods. The Federal Law of Procedures for Administrative Disputes, introduced by PAN senators in October 2001, establishes procedures for administrative or tax law disputes. The law covers disputes between contractors and the government, between taxpayers and the Treasury, between government employees and auditors on sanctions for administrative infractions, between citizens and the government for administrative fines, etc.

Cumulative Productivity of the 59th Legislature through December 31, 2005

This section studies the cumulative productivity of both chambers for the 59th Legislature through December 31, 2005. Between September 1, 2003, and December 31, 2005, 2,433 bills were introduced in the Chamber of Deputies, by far more than in any previous legislature (See Table 9). These included 1,923 legal reforms and 487 constitutional modifications. Deputies introduced 1,988 bills during the first five regular terms of the 59th Legislature, accounting for 81.7 percent of the total. PRI deputies introduced 732 bills, or 30.1 percent of the total. This was more than twice the number of the next party, the PAN, which sponsored 364 bills, or 15.0 percent of the total. The PRD presented 310 bills, and the PVEM 298. The five-member Convergencia delegation sponsored 148 bills (6.1 percent of the total, despite having only 1 percent of the deputies). The PT, with six deputies, introduced 47 bills. Two bills were sponsored by deputies who had left their parties.

The federal executive sponsored 80 bills in the 59th Legislature through the end of the fall 2005 term, 3.3 percent of the total legislation. These included 7 constitutional amendments, 56 laws, and 17 requests for authorization to travel abroad. Nineteen state legislatures introduced 98 bills (4.0 percent of the total). By far the most productive was the legislature of Jalisco, which introduced 41 bills. Baja California sponsored 11 bills, Chihuahua 10, and Veracruz 7. Senators introduced 57 revenue bills in the Chamber of Deputies.

The Senate sent 210 bills to the Chamber of Deputies after passage in the upper chamber, representing 8.6 percent of the total. These included 14 constitutional reforms and 196 laws.

Through December 31, 2005, the Chamber of Deputies considered 247 bills archived from previous legislatures. Added to the 2,433 bills introduced during the 59th Legislature, the Chamber of Deputies dealt with 2,680 bills. After the fifth of six regular terms of the 59th Legislature, the Chamber of Deputies approved 661 bills, nearly double the record for any previous legislature. Federal deputies had sponsored nearly two-thirds of the approved legislation: 429 bills, representing 64.9 percent of the total. The PRI had introduced 139 of the approved bills, 21.0 percent of the total. PAN deputies had sponsored 92, the PRD 68, the PVEM 51, Convergencia 15, and the PT delegation 6.

Table 9. Bills Considered in the Chamber of Deputies, 59th Legislature, Cumulative (September 1, 2003, through December 31, 2005)

Sponsor	Bills Introduced				Total	Bill Resolution			
	Laws	Constitutional Reforms	New Bills (from the 59th)	Archived Bills (from before the 59th)*		Approved	Rejected/ Negative Report	Pending	% Approved
Deputy-PR ¹ **	577	154	732	38	770	139	54	577	18.1
Deputy-PAN	258	106	364	51	415	92	37	286	22.2
Deputy-PRD***	215	90	310	52	362	68	36	258	18.8
Deputy-PVEM	264	34	298	12	310	51	47	212	16.5
Deputy-PT	34	13	47	7	54	6	10	38	11.1
Deputy-Convergencia	124	24	148	2	150	15	16	119	10.0
Deputy-Independent	2	0	2	0	2	0	0	2	0.0
Deputies in Coalition	61	10	71	36	107	50	18	39	46.7
Deputy-PSN (58th)	0	0	0	1	1	0	1	0	0.0
Committees	15	1	16	1	17	8	0	9	47.1
Executive****	56	7	80	6	86	62	4	20	72.1
State Legislatures	65	33	98	11	109	20	21	68	18.3
Senator	56	1	57	4	61	37	7	17	60.7
Senate	196	14	210	26	236	113	14	109	47.9
Total	1,923	487	2,433	247	2,680	661	265	1,754	24.7
									100.0

* Only bills that have a committee report published in the *Gaceta Parlamentaria*.

** Total includes one bill to interpret the constitution.

*** Total includes five bills to interpret the constitution.

**** Total includes 17 requests for authorization to travel outside the country, all of which were approved.

The president had sponsored 62 of the approved bills, 9.4 percent of the total, and state legislatures had introduced 20. Senators had introduced 113 of the approved bills, 17.1 percent of the total, including 37 revenue bills.

Through December 31, 2005, 20.0 percent of the deputies' bills had been approved. Meanwhile, 219 bills that had been sponsored by deputies were rejected, 10.2 percent of the total number of bills introduced by members of the lower chamber. The party with the best rate of bill approval was the PAN, with 22.2 percent of its bills approved. PRD deputies had 18.8 percent of their bills approved, while the PRI had a close 18.1 percent of its bills approved. The PVEM achieved mixed results, with 51 bills approved (16.5 percent of its total), but 47 rejected (15.2 percent). Only 11.1 percent and 10.0 percent of the bills of the PT and Convergencia, respectively, were approved.

The Chamber of Deputies approved 72.1 percent of the president's bills through the end of the fall 2005 term, rejecting 4 bills and leaving 20 pending. It approved 18.3 percent of the bills from the state legislatures, and a remarkably high 60.7 percent of the revenue bills introduced in the lower chamber by members of the Senate. In the cases of bills presented by state legislatures and senators, most of the approved bills were incorporated into committee reports of revenue bills. In total, the Chamber of Deputies approved 47.9 percent of the bills that it received from the Senate, rejecting 14 of 236.

Between September 1, 2003, and December 31, 2005, 1,001 bills or treaties had been introduced in the Senate (see Table 10), including 748 legal reforms, 157 constitutional amendments, and 76 treaties. Senators introduced 597 bills during the 59th Legislature, nearly three out of every five bills. PRI senators sponsored 251 bills, a little more than a quarter of the total. PAN senators introduced 149 bills (14.9 percent), the PRD 70, and the five Green senators 95, 9.5 percent of the total.

President Fox introduced 145 bills in the first 28 months of the 59th Legislature: 5 constitutional amendments, 46 legal reforms, and 76 treaties. The president also requested authorization for 17 foreign trips and for sending troops abroad as part of a disaster-relief operation. Counting the treaties, the president introduced 14.5 percent of the total legislation in the upper chamber, and senators introduced 59.6 percent. Not counting the treaties, the president introduced 7.5 percent of the total legislation, and senators 64.5 percent.

State legislatures introduced only seven bills directly in the upper chamber, and deputies two. One quarter of the legislation that reached the Senate came from the Chamber of Deputies.

Through December 31, 2005, the Senate of the 59th Legislature had approved 478 bills and treaties. Senators had introduced 192 of the approved bills (40.2 percent of the total). PRI senators had introduced 97 of the approved bills (20.3 percent of the total), nearly three times the total of the next most successful parliamentary group. PAN senators had sponsored 36 approved bills (7.5 percent of the total), and PRD senators 20 (4.2 percent of the total). The PVEM had presented 18 of the approved bills, but had also had 32 bills rejected, giving it the ambiguous distinction of being the only party in the upper chamber to have had more bills rejected than approved.

Table 10. Bills Considered in the Senate, 59th Legislature, Cumulative (September 1, 2003, through December 31, 2005)

Sponsor	Bills Introduced					Total	Bill Resolution				
	Laws	Constitutional Reforms	New Bills (from the 59th)		% of Total		Approved	Rejected/ Negative Report	Pending	% Approved	% of Total Approved
Senator-PRI	204	47	251	63	25.1	314	97	37	180	30.9	20.3
Senator-PAN	111	38	149	25	14.9	174	36	32	106	20.7	7.5
Senator-PRD	47	23	70	22	7.0	92	20	18	54	21.7	4.2
Senator-PVEM	75	20	95	24	9.5	119	18	32	69	15.1	3.8
Senator-Independent	1	2	3	0	0.3	3	0	1	2	0.0	0.0
Senators in Coalition	16	6	22	8	2.2	30	16	7	7	53.3	3.3
Committees**	5	0	7	0	0.7	7	5	0	2	71.4	1.0
Executive***	46	5	145	22	14.5	167	145	3	19	86.8	30.3
State Legislatures	3	4	7	6	0.7	13	3	5	5	23.1	0.6
Deputies	0	2	2	1	0.2	3	1	0	2	33.3	0.2
Chamber of Deputies	240	10	250	19	25.0	269	137	24	108	50.9	28.7
Total	748	157	1,001	190	100.0	1,191	478	159	554	40.1	100.0

* Only bills that have a committee report published in the *Gaceta Parlamentaria*.

** Total includes 2 bills to add reservations to treaties, both approved.

*** Total includes 17 requests for authorization to travel outside the country, and one request to send troops abroad, all approved, as well as 15 treaties from the 58th and 76 treaties from the 59th. The Senate approved 78 treaties, rejected two, and one has a negative report. Ten treaties are pending.

The PRI also had the best rate of approval for its bills, with 30.9 percent of its legislation approved in the Senate. The PRD ranked second with 21.7 percent approved, and the PAN third with 20.7 percent approved. The Senate approved 15.1 percent of the PVEM's bills, but rejected 26.9 percent. Overall, slightly more than one-quarter (26.0 percent) of the legislation presented by the members of the upper chamber was approved.

The Senate approved 145 executive bills in the 59th Legislature through December 31, 2005, representing 30.3 percent of the chamber's total approved bills. If treaties are excluded, the Senate approved 67 presidential bills, 16.8 percent of the total it approved. The Senate approved 86.8 percent of the bills sponsored by the president, a rate much higher than that of the lower chamber. If treaties are excluded, the Senate approved 88.2 percent of the executive legislation. The Senate had rejected two treaties and one has a negative report. Nineteen executive bills are pending, including 10 treaties.

The Senate had approved 137 bills from the Chamber of Deputies, representing 28.7 percent of the total. The upper chamber had approved just greater than half of the legislation that it had received from the deputies, at 50.9 percent (slightly higher than the 47.9 percent of Senate bills approved by the lower chamber). Through December 31, 2005, the Senate had rejected 24 bills from the Chamber of Deputies.

The Senate was elected in 2000 and served through both the 58th and 59th Legislatures (2000–2006). The 2003 midterm elections did not interrupt the legislative processes in the upper chamber. Therefore, it is best to consider the combined productivity of the Senate through both legislatures. Between September 1, 2000, and December 31, 2005, 1,728 bills were introduced in the Senate (see Table 11), including 1,227 legal reforms, 217 constitutional modifications, and 195 treaties or other international accords.

Senators introduced 994 bills, 57.5 percent of the total. The PRI introduced 416 bills, or 24.1 percent of the total legislation presented in the Senate during the entire period. The PAN was far behind in second, with 226 bills introduced. The PVEM placed third, with 153 bills, and the PRD last with 131 bills.

The president introduced 349 pieces of legislation in the Senate between 2000 and the end of 2005: 114 legal reforms, 9 constitutional amendments, 195 treaties, 30 authorizations for foreign travel, and 1 authorization for sending troops abroad to participate in disaster relief. If the treaties are included in the total, President Fox was responsible for just greater than one-fifth of the legislation introduced in the Senate (20.2 percent). If the treaties are excluded, the executive submitted only one-tenth of the total legislation considered by the Senate.

The Chamber of Deputies of both the 58th and the 59th Legislatures sent 357 bills to the upper chamber, or 20.7 percent of the total. State legislatures introduced 22 bills in the upper chamber, and federal deputies 6.

In the two legislatures, the Senate had approved 820 bills or treaties, or 58.3 percent of the legislation that had entered the upper chamber (in comparison, the Chamber of Deputies of the 59th Legislature had approved only 40.1 percent). The Senate had approved 286 bills that had been sponsored by senators, or 34.9 percent of the total legislation approved. (If treaties are excluded, the senator-sponsored legislation represents 44.4 percent of the total legislation approved.) The Senate

Table 11. Bills Considered in the Senate, 58th and 59th Legislatures, Cumulative (September 1, 2000, through December 31, 2005)

	Bills Introduced					Total	Bill Resolution				
	Laws	Constitutional Reforms	Total	% of Total	Archived Bills (from before the 58th)*		Approved	Rejected/ Negative Report	Pending	% Approved	% of Total Approved
Sponsor											
Senator-PRI	337	79	416	24.1	2	418	148	39	231	35.4	18.0
Senator-PAN	171	55	226	13.1	1	227	52	34	141	22.9	6.3
Senator-PRD**	83	46	131	7.6	2	133	27	23	83	20.3	3.3
Senator-PVEM	119	34	153	8.9	0	153	25	38	90	16.3	3.0
Senator-Independent	1	2	3	0.2	0	3	0	1	2	0.0	0.0
Sensors in Coalition	41	12	53	3.1	0	53	25	10	18	47.2	3.0
Committees***	9	1	12	0.7	0	12	9	0	3	75.0	1.1
Executive****	114	9	349	20.2	2	351	315	10	26	89.7	38.4
State Legislatures	10	12	22	1.3	0	22	3	5	14	13.6	0.4
Deputies	2	4	6	0.3	0	6	1	0	5	16.7	0.1
Chamber of Deputies	340	17	357	20.7	12	369	215	34	120	58.3	26.2
Total	1,227	271	1,728	100.0	19	1,747	820	194	733	46.9	100.0

* Only bills that have a committee report published in the *Gaceta Parlamentaria*.

** Total includes 2 bills to repeal reservations to ratified treaties, both rejected.

*** Total includes 2 bills to add reservations to treaties, both approved.

**** Total includes 30 requests for authorization to travel outside the country (29 approved and 1 rejected), and 1 request to send troops abroad (approved). Total also includes 195 treaties (176 approved, 6 rejected, 1 negative report, and 12 pending).

approved 148 bills from the PRI, or 18.0 percent of the total bills approved. It approved 52 bills from PAN senators, 27 from PRD senators, and 25 from PVEM senators. The PRI had the best rate of approval for its bills; 35.4 percent of the party's bills were approved by the upper chamber. The Senate approved 22.9 percent of the PAN's bills, 20.3 percent of the PRD's bills, and 16.3 percent of the PVEM's bills. The Senate rejected 24.8 percent of the bills submitted by the Greens, which was the only party in the Senate to have more bills rejected in the two legislatures than approved.

The Senate approved 315 bills from the executive branch, including 176 treaties. This represents 38.4 percent of the total legislation approved in the Senate. If the treaties are excluded, then the executive's share of the approved legislation falls to 21.6 percent. Ten executive bills, including 7 treaties (one has a negative report), were rejected by the Senate, and 26 are pending, including 12 treaties. Of the 30 requests for authorization for the president to travel abroad (in 2002), the Senate rejected one. The rate of success of Fox's bills for both legislatures is 89.7 percent. If the treaties are excluded, the rate falls very slightly to 89.1 percent.

During the two legislatures the Senate approved 215 bills from the lower chamber, representing 26.2 percent of the total legislation approved, and rejected 34. In all, the Senate approved 46.9 percent of the bills that it had received from the lower chamber.

Conclusion

After a difficult and divisive second year of the 59th Legislature, the Congress got back on track during the fall 2005 term, producing record levels of legislation. Both the Chamber of Deputies and the Senate introduced and approved a record number of bills. Parties in both chambers recognized that in an election year it was more important to show that they could pass legislation than that they could block legislation of the president or other parties. Although, the Congress did not approve major parts of President Fox's core legislative agenda (the increase in the VAT, the liberalization of the energy sector, a fundamental constitutional restructuring, and labor reform), it did approve most of the bills it received from the executive branch. Most of all, Congress continued its grand logroll, approving legislation from all parties and keeping everyone generally satisfied.

About the Author

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