

# Enactment of Appropriations Measures During Lame Duck Sessions

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## Enactment of Appropriations Measures During Lame Duck Sessions

Fourteen of the past 15 Congresses have concluded with post-election, or “lame duck,” sessions. Under contemporary conditions, any meeting of Congress that occurs between a congressional election in November and the following January 3 is termed a lame duck session. The defining characteristic of a lame duck session is that its participants are the sitting Members of the existing Congress, not those who have been elected to sit in the new Congress.

The enactment of appropriations measures has been an element of most of the lame duck sessions since the 103<sup>rd</sup> Congress. No regular or continuing appropriations measures (continuing resolutions, or CRs) were enacted during lame duck sessions held in 1994, 1998, 2008, and 2012. However, a total of 49 regular and 25 CRs were enacted during the 10 other lame duck sessions held in 2000, 2002, 2004, 2006, 2010, 2014, 2016, 2018, 2020, and 2022.

Lame duck sessions have in some instances afforded Congress an opportunity to complete action on regular appropriations for a fiscal year. In other instances, Congress completed action on regular appropriations either before or after a lame duck session. In total, 51 of the 172 full-year appropriations acts signed into law during this period were enacted prior to a lame duck session, 49 were enacted during a lame duck session, and 72 were enacted after a lame duck session by the next Congress.

The enactment of CRs was also an important element in most, but not all, of the lame duck sessions that occurred during the 103<sup>rd</sup>-117<sup>th</sup> Congresses. In total, 72 CRs were enacted for fiscal years that coincided with lame duck sessions over this period. Thirty-five of these CRs were enacted prior to a lame duck session, 25 were enacted during a lame duck session, and 12 were enacted after a lame duck session by the next Congress.

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The activities of most federal agencies are at least partially funded by means of annual appropriations acts. These appropriations are typically provided in the regular appropriations bills that are enacted for each fiscal year. Some or all of the regular appropriations bills may be enacted before the fiscal year begins. In recent decades, however, it has been common for most—if not all—of the regular appropriations bills to be enacted after the October 1 start of the fiscal year.<sup>1</sup> In a number of recent instances, the consideration of regular appropriations bills has carried over to the following session of Congress. When action on the regular appropriations acts is delayed beyond the start of the fiscal year, one or more continuing appropriations acts (commonly known as continuing resolutions or CRs) may be enacted to provide interim funding.

Fourteen of the past 15 Congresses, covering the 103<sup>rd</sup> Congress through the 117<sup>th</sup> Congress, have concluded with a post-election, or “lame duck,” session.<sup>2</sup> The enactment of appropriations measures has been an important aspect of the agenda for many of these sessions.

This report provides information on regular appropriations acts and CRs enacted during lame duck sessions between 1994 and 2022 (i.e., appropriations bills for FY1995, FY1999, FY2001, FY2003, FY2005, FY2007, FY2009, FY2011, FY2013, FY2015, FY2017, FY2019, FY2021, and FY2023).<sup>3</sup>

## Background

A lame duck session is one that occurs during the period following Election Day and before the convening of a new Congress about two months later in early January. Under the Twentieth Amendment to the Constitution, Congress is required to convene at noon on January 3 following the election unless by statute it designates a different day.<sup>4</sup> In recent years, new Congresses have convened during the first week of January in each odd-numbered year, but not necessarily on January 3.<sup>5</sup> As pointed out in a CRS report:

Since 1935, the constitutional term of a Congress has begun on January 3 of each odd-numbered year and has ended on January 3 of the next odd-numbered year. As a result, any meeting of Congress that occurs between the congressional election in November of an even-numbered year and the following January 3 is a lame duck session. The significant characteristic of a lame duck session is that its participants are the sitting Members of the existing Congress, not those who will be entitled to sit in the new Congress.<sup>6</sup>

Several factors may contribute to the scheduling of lame duck sessions, including the need to deal with unfinished business or urgent matters that have arisen suddenly. For example, lame duck sessions have been used for such matters as the consideration of authorization measures for the

<sup>1</sup> Regular appropriations bills may be enacted individually or as part of a consolidated appropriations act (commonly referred to as an “omnibus”). For more information on the latter, see CRS Insight IN12324, *Omnibus Appropriations: Overview of Recent Practice*. In addition, annual appropriations are sometimes provided by a full-year continuing resolution that funds (or “covers”) the activities that would normally be funded in a regular appropriations act. For more information, see CRS Report R46595, *Continuing Resolutions: Overview of Components and Practices*.

<sup>2</sup> No such session occurred in 1996 during the 104<sup>th</sup> Congress.

<sup>3</sup> The 103<sup>rd</sup> Congress began on January 5, 1993, and the 117<sup>th</sup> Congress ended on January 3, 2023.

<sup>4</sup> Section 2 of the Twentieth Amendment states: “The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.” See “Constitution Annotated” on the CRS website at <https://constitution.congress.gov/browse/amendment-20/>.

<sup>5</sup> For more information, see CRS Report RS20722, *The First Day of a New Congress: A Guide to Proceedings on the Senate Floor*.

<sup>6</sup> CRS Report R45154, *Lame Duck Sessions of Congress, 1935-2022 (74th-117th Congresses)*.

Department of Defense and intelligence activities, the finalization of a measure establishing the Department of Homeland Security (DHS), the House impeachment proceedings against President Bill Clinton, and the enactment of legislation in response to the COVID-19 pandemic. In most recent Congresses, lane duck sessions have been used to take action on regular or continuing appropriations bills for a fiscal year.

Twenty-four lane duck sessions occurred between 1935 and 2022.<sup>7</sup> Ten of the 24 lane duck sessions occurred between 1935 and 1990, an average of one out of every three Congresses during this period. The use of such sessions has become more common in recent decades, occurring about twice as frequently. The remaining 14 lane duck sessions—which occurred after the 1994, 1998, 2000, 2002, 2004, 2006, 2008, 2010, 2012, 2014, 2016, 2018, 2020, and 2022 elections—covered a span of 15 Congresses. As **Table 1** shows, lane duck sessions occurred during this period regardless of whether party control of the federal government was unified (i.e., the same party controlled the presidency and both chambers of Congress, as in 1994, 2004, 2006, 2010, 2018, and 2022) or divided. Further, lane duck sessions occurred in both presidential election years (2000, 2004, 2008, 2012, 2016, and 2020) and nonpresidential election years.

## Appropriations Measures Enacted Before, During, and After Lane Duck Sessions

Between calendar years 1994 and 2022, lane duck sessions have in some instances afforded Congress an opportunity to complete action on some or all regular appropriations for a fiscal year. In other instances, Congress completed action on regular appropriations either before or after a lane duck session. A total of 172 regular appropriations acts were enacted (or covered by full-year CRs) for the fiscal years that coincided with lane duck sessions (see **Table 2**).

In addition, a total of 72 CRs were enacted for the fiscal years that coincided with lane duck sessions during this same period (see **Table 3**). The consideration of one or more CRs was carried out during most of these lane duck sessions.

Information regarding regular appropriations acts and CRs enacted before, during, and after each lane duck session is displayed in **Table 1** and **Table 2**. Additional information on the enactment of appropriations measures for fiscal years coinciding with each lane duck session over this period is also provided in the section of this report titled “Summary of Congressional Action on Appropriations Measures Enacted Before, During, and After Each Lane Duck Session Held Between 1994-2022.”

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<sup>7</sup> See CRS Report R45154, *Lane Duck Sessions of Congress, 1935-2022 (74th-117th Congresses)*. According to the report, “The possibility of a lane duck session of Congress in the modern sense began with the ratification of the Twentieth Amendment to the Constitution. Under this amendment, ratified in 1933, the terms of Members begin and end on January 3 of odd-numbered years. Congress convenes in a regular session on January 3 of each year unless it passes a law changing the date. Thus, the 74<sup>th</sup> Congress (1935-1937) was the first to begin its first session and the terms of its Members on the new date. Any meeting of Congress after a federal election day (in November of even-numbered years) but before the following January 3 is a lane duck session.”

**Table 1. Duration of Lane Duck Session and Party Control of Government**  
1994-2022

Congress	Lane Duck Session		Party Control		
	Dates	Duration (in calendar days) <sup>a</sup>	Administration <sup>b</sup>	House	Senate
103 <sup>rd</sup>	11/29-12/1 1994	3	D (Clinton)	D	D
104 <sup>th</sup>	[none]	—	D (Clinton)	R	R
105 <sup>th</sup>	12/17-12/19 1998	3	D (Clinton)	R	R
106 <sup>th</sup>	11/13-12/15 2000	33	D (Clinton)	R	R
107 <sup>th</sup>	11/7-11/22 2002	16	R (G. W. Bush)	R	D
108 <sup>th</sup>	11/16-12/8 2004	23	R (G. W. Bush)	R	R
109 <sup>th</sup>	11/9-12/9 2006 <sup>c</sup>	31	R (G. W. Bush)	R	R
110 <sup>th</sup>	11/19/2008- 1/3/2009	46	R (G. W. Bush)	D	D
111 <sup>th</sup>	11/4-12/29 2010	56	D (Obama)	D	D
112 <sup>th</sup>	11/9/2012-1/3/2013	56	D (Obama)	R	D
113 <sup>th</sup>	11/12/2014- 1/3/2015	53	D (Obama)	R	D
114 <sup>th</sup>	11/14/2016- 1/2/2017	50	D (Obama)	R	R
115 <sup>th</sup>	11/13/2018- 1/3/2019	52	R (Trump)	R	R
116 <sup>th</sup>	11/9/2020-1/3/2021	56	R (Trump)	D	R
117 <sup>th</sup>	11/14/2022 – 1/3/2023	51	D (Biden)	D	D

**Sources:** Prepared by CRS using data from the LIS/Congress.gov and *CQ Guide to Congress*, 6<sup>th</sup> ed., vol. II (Washington: CQ Press, 2008), p. 1306.

- Duration* refers to the span of days from the first date to the last date that the House, the Senate, or both were in session. This does not refer to the number of days that one or both chambers were in session during that period.
- D refers to the Democratic Party and R refers to the Republican Party.
- The House and Senate adjourned early in the morning of December 9 (before 5:00 a.m.).

## Regular Appropriations Acts

**Table 2** provides information on regular appropriations bills signed into law for fiscal years that coincided with lane duck sessions between 1994 and 2022. There has been considerable variance in the degree to which regular appropriations have been completed before, during, or after the 14 most recent lane duck sessions held since 1994. The count of regular appropriations acts in **Table 2** includes those that were enacted in both standalone or consolidated vehicles, as well as those covered by full-year CRs. During the 109<sup>th</sup> Congress (2005-2006), the number of regular appropriations acts was reduced from 13 to 11 due to a reorganization of the House and Senate Appropriations Committees.<sup>8</sup> At the beginning of the 110<sup>th</sup> Congress, a further reorganization of the appropriations subcommittees took effect, which resulted in an increase in the number of regular appropriations acts to 12.

In total, 51 of the 172 regular appropriations acts during this period were enacted before the beginning of the applicable lane duck session, 49 were enacted during the lane duck session, and 72 were enacted after the lane duck session by the new Congress.<sup>9</sup>

**Table 2. Regular Appropriations Acts Enacted Before, During, and After Lane Duck Sessions: 1994-2022**

Calendar Year	Number of Regular Appropriations Acts Enacted:			Total
	Before Lane Duck Session	During Lane Duck Session	After Lane Duck Session	
1994	13	0	0	13
1998	13	0	0	13
2000	8	5	0	13
2002	2	0	11	13
2004	4	9	0	13
2006	2	0	9	11
2008	3	0	9	12
2010	0	0	12	12
2012	0	0	12	12
2014	0	11	1	12
2016	1	0	11	12
2018	5	0	7	12
2020	0	12	0	12
2022	0	12	0	12
<b>Total</b>	<b>51</b>	<b>49</b>	<b>72</b>	<b>172</b>

<sup>8</sup> For more, see CRS Report RL31572, *Appropriations Subcommittee Structure: History of Changes from 1920 to 2023*.

<sup>9</sup> In 2000, the House and Senate passed five regular appropriations acts for FY2001 during the lane duck session, but four of them were signed into law on December 21, six days after the session had ended. This delay in enactment was due not to congressional inaction but to a delay in the signing of the acts by the President. For purposes of this report, all five acts are regarded as having been enacted during the lane duck session.

**Source:** Prepared by CRS using the CRS Appropriations Status Table and congress.gov.

**Notes:** This table excludes 1996 because no lane duck session was held at the end of the 104<sup>th</sup> Congress. All regular appropriations bills for FY1997 were enacted prior to the start of the fiscal year.

## **No Enactment of Regular Appropriations Bills During a Lane Duck Session**

No regular appropriations bills were enacted during nine of the 14 lane duck sessions since 1994 (1994, 1998, 2002, 2006, 2008, 2010, 2012, 2016, and 2018). In two of these lane duck sessions (1994 and 1998), no action was taken on regular appropriations bills because all of the regular appropriations bills for the applicable fiscal years (FY1995 and FY1999, respectively) had been enacted prior to the start of the lane duck session. In other years (2002, 2006, 2008, 2010, 2012, 2016, and 2018), no regular appropriations bills were enacted during the lane duck session despite action being incomplete on some or all of the regular appropriations bills for the applicable fiscal years. On two of these occasions (2010 and 2012), none of the regular appropriations bills was enacted either prior to or during the lane duck session, thus leaving the passage of all regular appropriations bills for the applicable fiscal years (FY2011 and FY2013, respectively) to the new Congress.

## **Enactment of Regular Appropriations Bills During a Lane Duck Session**

Enactment of regular appropriations bills was an important element in five lane duck sessions since 1994 (2000, 2004, 2014, 2020, and 2022). In four of these lane duck sessions (2000, 2004, 2020, and 2022), Congress completed action on all remaining regular appropriations bills for the applicable fiscal year during the lane duck session. In two of these lane duck sessions (2020 and 2022), all regular appropriations for the applicable fiscal year (FY2021 and FY2023, respectively) were enacted during the lane duck session. Eleven of the 12 regular appropriations bills for FY2015 were enacted during the 2014 lane duck session, with one being enacted during the new Congress.

## **Enactment of Regular Appropriations Bills After a Lane Duck Session**

Consideration of regular appropriations acts for the applicable fiscal year has continued beyond the lane duck session and into the new Congress on eight occasions since 1994 (2002, 2006, 2008, 2010, 2012, 2014, 2016, and 2018). On two occasions (2010 and 2012), no regular appropriations bills were enacted prior to or during the lane duck session, and all regular appropriations (for FY2011 and FY2013, respectively) were enacted after the lane duck session during the new Congress. On five occasions (2002, 2006, 2008, 2016, and 2018), all regular appropriations for the applicable fiscal year were enacted either before or after the lane duck session, with none enacted during the session. The lane duck session in 2014 was the one occasion over this period where regular appropriations bills (for FY2015) were enacted either during (11) or after (1) a lane duck session, with none enacted beforehand.

## **Continuing Resolutions**

CRs have been an integral component of the annual appropriations process for decades. When action on one or more of the regular appropriations bills is not completed by the October 1 start of the new fiscal year, CRs may be enacted to provide interim funding, thereby avoiding a disruption in agency operations.<sup>10</sup> CRs are typically intended to provide interim funding (i.e., for a matter of days, weeks, or months) until action on regular appropriations is complete. They have on

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<sup>10</sup> For a more on CRs, see CRS Report R46595, *Continuing Resolutions: Overview of Components and Practices*.



occasion, however, provided funding for the remainder of a fiscal year (known as a “full-year CR”).

The duration for a CR to be in effect is often a source of debate during its development and consideration. With any given CR, some in Congress may favor one or more short-term CRs in order to “buy time” for ongoing negotiations on regular appropriations while maintaining incentives to complete the process. Some may favor a longer-term CR to postpone final action on appropriations beyond a certain date, among other potential reasons. These debates may be amplified in the context of lane duck sessions due to political considerations related to election outcomes and an impending new Congress.

There has been considerable variation in the degree to which CRs have been used to provide interim funding during the 14 most recent lane duck sessions since 1994 (see **Table 3**). A total of 72 CRs were enacted for the fiscal years that coincided with lane duck sessions during this period. In total, 35 of the 72 CRs were enacted before the beginning of a lane duck session, 25 were enacted during a lane duck session, and 12 were enacted afterwards by the new Congress.<sup>11</sup>

**Table 3. Continuing Resolutions Enacted Before, During, and After Lane Duck Sessions**  
1994-2022

Calendar Year	Number of Continuing Appropriations Acts Enacted:			Total
	Before Lane Duck Session	During Lane Duck Session	After Lane Duck Session	
1994	0	0	0	0
1998	6	0	0	6
2000	15	6	0	21
2002	4	1	3	8
2004	1	2	0	3
2006	1	2	1*	4
2008	1	0	0	1
2010	1	3	4*	8
2012	1	0	1*	2
2014	1	3	1	5
2016	1	1	1	3
2018	1	1	1	3
2020	1	4	0	5
2022	1	2	0	3
<b>Total</b>	<b>35</b>	<b>25</b>	<b>12</b>	<b>72</b>

**Source:** Prepared by CRS using the CRS Appropriations Status Table and congress.gov.

<sup>11</sup> In 2002, the CR for FY2003 considered during the lane duck session was signed into law on November 23, the day after the session ended. For purposes of this report, the CR is included among those enacted during a lane duck session because congressional action occurred during the session.

**Notes:** \* indicates that the final CR enacted for the fiscal year was a full-year CR covering some of the regular appropriations bills for the applicable fiscal year. The only CRs enacted after the lane duck sessions in 2006 and 2012 (for FY2007 and FY2013, respectively) were in the form of full-year CRs covering some of the regular appropriations bills for those fiscal years. This table excludes 1996 because no lane duck session was held at the end of the 104<sup>th</sup> Congress. All regular appropriations bills for FY1997 were enacted prior to the start of the fiscal year, and thus no CRs were needed.

## **No Enactment of Continuing Resolutions During Lane Duck Sessions**

The enactment of CRs did not play a role in four of the lane duck sessions held since 1994 (1994, 1998, 2008, and 2012). No CRs were needed during the lane duck sessions in 1994 and 1998, as all of the regular appropriations bills (for FY1995 and FY1999, respectively) were enacted before the start of the lane duck session.<sup>12</sup> No CRs were enacted during the lane duck sessions held in 2008 and 2012 due to the enactment of a CR beforehand that lasted beyond the duration of the lane duck session. On both occasions, the CRs (for FY2009 and FY2013, respectively) enacted prior to the start of the lane duck session provided temporary funding into March of the new Congress.

## **Enactment of Continuing Resolutions During Lane Duck Sessions**

Ten lane duck sessions since 1994 have involved the enactment of one or more CRs. In 2000, six CRs for FY2001 were enacted during the lane duck session. (Fifteen had been enacted before the session began.) In 2020, four CRs were enacted for FY2021 during the lane duck session. (One had been enacted before the session began.) Three CRs were enacted for FY2011 and FY2015 during the lane duck sessions in 2010 and 2014, respectively. (One had been enacted before each of the sessions began.) Either one or two CRs were enacted during each of the remaining six lane duck sessions in 2002 (1), 2004 (2), 2006 (2), 2016 (1), 2018 (1), and 2022 (2).

## **Enactment of Continuing Resolutions After Lane Duck Sessions**

For five of the fiscal years that coincided with lane duck sessions since 1994 (FY2003, FY2011, FY2015, FY2017, and FY2019), one or more additional CRs were required in the new Congress to provide continued interim funding after the lane duck session of the previous Congress was over. CRs were enacted after two other lane duck sessions (2006 and 2012), but the only CRs enacted by the new Congress were in the form of a full-year CR covering some of the regular appropriations bills (for FY2007 and FY2013, respectively). A full-year CR covering some of the regular appropriations bills for FY2011 was also enacted by the new Congress after the lane duck session in 2010, but the new Congress had enacted three interim CRs prior to its enactment.

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<sup>12</sup> All of the regular appropriations bills for FY1995 were enacted prior to the start of the fiscal year and thus before the lane duck session began. All of the regular appropriations bills for FY1999 were enacted before the lane duck session began but not prior to the start of the fiscal year. Six CRs were enacted for FY1999 prior to action being completed on all regular appropriations bills on October 21.

## **Summary of Congressional Action on Appropriations Measures Enacted Before, During, and After Each Lane Duck Session Held Between 1994-2022**

A brief summary of action on regular appropriations and CRs enacted before, during, and after each of the 14 lane duck sessions that occurred from 1994 through 2022 is provided below.

### **1994 Lane Duck Session**

At the end of the 103<sup>rd</sup> Congress, a lane duck session was held from November 29, 1994, to December 1, 1994.

All 13 of the regular appropriations acts for FY1995 were enacted prior to the start of the fiscal year on October 1, before the lane duck session began. All were enacted separately. No CRs were needed.

### **No Lane Duck Session Held in 1996**

No lane duck session was held in 1996 at the end of the 104<sup>th</sup> Congress. All regular appropriations bills for FY1997 were enacted prior to the start of the fiscal year. Seven regular appropriations bills were enacted individually, and the remaining six were enacted in a consolidated measure on September 30 (P.L. 104-208).

### **1998 Lane Duck Session**

At the end of the 105<sup>th</sup> Congress, a lane duck session was held in the House from December 17, 1998, to December 19, 1998.

All 13 of the regular appropriations acts for FY1999 were enacted prior to the lane duck session—five separately and eight in a consolidated measure, the FY1999 Omnibus Consolidated and Emergency Supplemental Appropriations Act (P.L. 105-277; October 21, 1998). Six CRs were enacted to provide interim funding from the start of the fiscal year on October 1 until action on all regular appropriations bills was completed on October 21.

Over the three days of the 1998 lane duck session, the House considered and passed a resolution of impeachment against President Bill Clinton. The Senate was not in session.

### **2000 Lane Duck Session**

At the end of the 106<sup>th</sup> Congress, a lane duck session was held from November 13, 2000, to December 15, 2000.

Eight of the 13 regular appropriations acts for FY2001 were enacted prior to the lane duck session—six separately and two as part of a consolidated measure, the FY2001 VA-HUD Appropriations Act (P.L. 106-377; October 27, 2000), which also included funding for the FY2001 Energy-Water Development Appropriations Act. Fifteen short-term CRs were also enacted before the lane duck session began.

The remaining five regular appropriations acts for FY2001 were enacted during the lame duck session.<sup>13</sup> A consolidated measure, the FY2001 Consolidated Appropriations Act (P.L. 106-554; December 21, 2000), covered the following three regular appropriations acts: (1) Labor-HHS-Education, (2) Legislative Branch, and (3) Treasury-Postal Service. The FY2001 District of Columbia Appropriations Act (P.L. 106-522; November 22, 2000) and the FY2001 Commerce-Justice-State Appropriations Act (P.L. 106-553; December 21, 2000) were enacted separately. Six CRs were also enacted during the lame duck session that provided interim funding until action on all of the regular appropriations bills was complete.

## **2002 Lane Duck Session**

At the end of the 107<sup>th</sup> Congress, a lame duck session was held from November 7, 2002, to November 22, 2002.

Two of the regular appropriations acts for FY2003 were enacted before the lame duck session began—the FY2003 Defense Appropriations Act (P.L. 107-248) and the FY2003 Military Construction Appropriations Act (P.L. 107-249). They both became law on October 23, 2002. Four CRs for FY2003 were also enacted before the lame duck session began.

One additional CR for the fiscal year was enacted during the lame duck session (P.L. 107-294; November 23, 2002)<sup>14</sup> but no regular appropriations acts were considered during the session.

Three more CRs were enacted early in the next Congress, and all of the remaining 11 regular appropriations acts for FY2003 were subsequently enacted as a single measure, the FY2003 Consolidated Appropriations Resolution (P.L. 108-7; February 20, 2003), several weeks into the new Congress.

## **2004 Lane Duck Session**

At the end of the 108<sup>th</sup> Congress, a lame duck session was held from November 16, 2004, to December 8, 2004.

Four of the 13 regular appropriations acts for FY2005 were enacted separately before the lame duck session began (the Defense, District of Columbia, Homeland Security, and Military Construction Appropriations Acts). One CR was also enacted before the lame duck session began.

Two additional CRs for FY2005 were enacted during the lame duck session: P.L. 108-416 (November 21, 2004) and P.L. 108-434 (December 3, 2004). The remaining nine regular appropriations acts for FY2005 were then enacted during the lame duck session as part of a consolidated measure, the FY2005 Consolidated Appropriations Act (P.L. 108-447; December 8, 2004).

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<sup>13</sup> The House and Senate passed five regular appropriations acts for FY2001 during the lame duck session, but four of them were signed into law on December 21, 2000, six days after the session had ended. For purposes of this report, all five acts are regarded as having been enacted during the lame duck session because this delay was not due to congressional inaction.

<sup>14</sup> Congress passed the CR during the lame duck session, but it was signed into law on November 23, the day after the session ended. For the purpose of this report, the CR is considered to have been enacted during the lame duck session because this delay was not due to congressional inaction.

## **2006 Lane Duck Session**

At the end of the 109<sup>th</sup> Congress, a lane duck session was held from November 13, 2006, to December 9, 2006.

Two of the 11 regular appropriations acts for FY2007 were separately enacted before the lane duck session began. The FY2007 Defense Appropriations Act (P.L. 109-289) and the FY2007 Homeland Security Appropriations Act (P.L. 109-295) were signed into law on September 29 and October 4, respectively. Interim funding for the nine remaining appropriations acts was provided through November 17 by a CR enacted on September 29 (P.L. 109-289).

Two additional CRs were passed during the lane duck session. P.L. 109-369 was enacted on November 17 to provide appropriations through December 8. When it became apparent that action on regular appropriations would not be completed, P.L. 109-383 was enacted on December 9 to provide appropriations through February 15, 2007.

Action on the nine remaining regular appropriations acts was completed during the following session of Congress via a full-year CR (H.J.Res. 20) that was signed into law on February 15, 2007 (P.L. 110-5).

## **2008 Lane Duck Session**

At the end of the 110<sup>th</sup> Congress, a lane duck session was held from November 19, 2008, to January 3, 2009.

Three of the 12 regular appropriations acts for FY2009 (Defense, Homeland Security, and Military Construction/Veterans Affairs) were enacted before the lane duck session as part of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, which became law on September 30 (P.L. 110-329). The CR portion of this act extended funding for the nine remaining appropriations acts through March 6, 2009.

Congress took no action on appropriations during the 2008 lane duck session.

The remaining regular appropriations acts for FY2009 were enacted in the early days of the 111<sup>th</sup> Congress in the FY2009 Omnibus Appropriations Act, which the President signed on March 11, 2009 (P.L. 111-8).

## **2010 Lane Duck Session**

At the end of the 111<sup>th</sup> Congress, a lane duck session was held from November 4, 2010, to December 19, 2010.

None of the 12 regular appropriations bills for FY2011 had been enacted by the pre-election recess, and only two regular appropriations bills for FY2011 (Military Construction/Veterans Affairs and Transportation/Housing and Urban Development) had been passed by the House. A CR (P.L. 111-242) was enacted on September 30 that provided interim funding for all 12 bills through December 3.

None of the regular appropriations bills was enacted during the 2010 lane duck session. Interim funding for FY2011 was further extended through March 4, 2011, by three additional CRs (P.L. 111-290, enacted on December 4, 2010; P.L. 111-317, enacted on December 18, 2010; and P.L. 111-322, enacted on December 22, 2010).

In the first months of the 112<sup>th</sup> Congress, three additional CRs further extended this interim funding (P.L. 112-4, enacted on March 2, 2011; P.L. 112-6, enacted on March 18, 2011; and P.L.

112-8, enacted on April 9, 2011). The appropriations process for FY2011 was ultimately completed on April 15, 2011, through the enactment of P.L. 112-110, the FY2011 Department of Defense and Full-Year Continuing Appropriations Act. Division A of the act contained the FY2011 Defense appropriations act, while funding for the remaining 11 bills was provided in Division B through a full-year CR.

## **2012 Lane Duck Session**

At the end of the 112<sup>th</sup> Congress, a lane duck session was held from November 9, 2012, to January 3, 2013.

None of the regular appropriations bills had been enacted by the pre-election recess. Seven bills had been passed by the House and none by the Senate. A CR (P.L. 112-175) was enacted on September 28, 2012, to provide interim funding through March 27, 2013.

Congress took no action on appropriations for FY2013 during the lane duck session.

The appropriations process for FY2013 was completed by the new Congress on March 26, 2013, through the enactment of P.L. 113-6, the FY2013 Consolidated and Further Continuing Appropriations Act. Five of the 12 regular bills were enacted in Divisions A-E of the act, while funding for the remaining seven was provided through a full-year CR contained in Division F of the act.

## **2014 Lane Duck Session**

At the end of the 113<sup>th</sup> Congress, a lane duck session was held from November 12, 2014, to January 3, 2015.

Because none of the regular appropriations bills had been enacted by the start of the fiscal year, a CR was enacted before the lane duck session to provide interim funding through December 11, 2014 (P.L. 113-164, September 19, 2014).

During the lane duck session, 11 of the 12 regular appropriations acts for FY2015 were enacted on December 16, 2014, as part of the Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235). That law also contained a CR that provided further interim funding for the DHS appropriations bill through February 27, 2015. Two additional CRs (P.L. 113-202, December 12, 2014; and P.L. 113-203, December 13, 2014) were enacted during the lane duck session to provide short-term appropriations while the consolidated measure was being completed.

During the next congressional session, one further CR (P.L. 114-3) was enacted to extend interim funding for DHS through March 6, 2015. The FY2015 Department of Homeland Security Appropriations Act (P.L. 114-4) was enacted on March 4, 2015.

## **2016 Lane Duck Session**

At the end of the 114<sup>th</sup> Congress, a lane duck session was held from November 14, 2016, to January 2, 2017.

One regular appropriations bill for FY2017 (Military Construction and Veterans Affairs) was enacted before the lane duck session began (P.L. 114-223). That law also contained a CR providing interim funding for the other 11 appropriations bills for FY2017 through December 9, 2016.

During the lane duck session, a second CR was enacted on December 10 to extend interim funding through April 28, 2017 (P.L. 114-254).

In the next Congress, a third CR was enacted on April 28 that further extended interim funding through May 5, 2017 (P.L. 115-30). A consolidated appropriations measure (P.L. 115-31) containing the remaining 11 regular appropriations bills for FY2017 was signed into law on May 5, 2017.

## **2018 Lane Duck Session**

At the end of the 115<sup>th</sup> Congress, a lane duck session was held from November 13, 2018, to January 3, 2019.

Two consolidated appropriations measures (P.L. 115-244 and P.L. 115-245), containing a total of five regular appropriation bills for FY2019 (Energy and Water Development, Legislative Branch, and Military Construction and Veterans Affairs; Defense and Labor-HHS-Education), were enacted prior to the start of the fiscal year. Division C of P.L. 115-245 contained a CR that provided interim funding through December 7, 2018, for the agencies and activities covered by the remaining seven regular appropriations bills.

During the lane duck session, a second CR (P.L. 115-298) was enacted on December 7 to extend interim funding for the seven remaining bills through December 21. The House and Senate were unable to reach agreement on a third CR (H.R. 695), causing funding to lapse after December 21.

The funding lapse continued for 34 full days until January 25, 2019, when a third CR (P.L. 116-5) was enacted during the new Congress to provide interim funding through February 15, 2019. The seven remaining regular appropriations acts were enacted in a consolidated appropriations measure—the FY2019 Consolidated Appropriations Act, 2019 (P.L. 116-6)—on February 15, 2019.<sup>15</sup>

## **2020 Lane Duck Session**

At the end of the 116<sup>th</sup> Congress, a lane duck session was held from November 9, 2020, to January 3, 2021.

None of the 12 regular appropriations acts was enacted prior to the beginning of FY2021. Consequently, Congress passed a CR covering all 12 bills on October 1 to provide interim funding through December 11 (P.L. 116-159). Congress then extended continuing appropriations for FY2021 four times during the lane duck session, enacting CRs on December 11 (P.L. 116-215), December 18 (P.L. 116-225), December 20 (P.L. 116-226), and December 22 (P.L. 116-246).

On December 21, during the lane duck session, the House and Senate passed the Consolidated Appropriations Act of 2021, which the President signed into law on December 27 (P.L. 116-260). Divisions A-L of the act provided funding for all 12 of the regular appropriations bills for FY2021.

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<sup>15</sup> For a more detailed discussion of this topic, see CRS Report R45906, *Congressional Action on FY2019 Appropriations Measures: 115th and 116th Congresses*.



## 2022 Lane Duck Session

At the end of the 117<sup>th</sup> Congress, a lane duck session was held from November 14, 2022, to January 3, 2023.

None of the 12 regular appropriations acts for FY2023 was enacted prior to the start of the fiscal year. An initial CR (P.L. 117-180) was enacted on September 30, which provided interim funding for all 12 bills through December 16. This CR was extended through subsequent CRs on two occasions during the lane duck session. A second CR (P.L. 117-229) was enacted on December 16 to provide temporary funding through December 23, and a third CR (P.L. 117-264) was enacted on December 23 to provide temporary funding through December 30.

On December 22, during the lane duck session, the Senate passed H.R. 2617, the Consolidated Appropriations Act, 2023, which contained all 12 regular appropriations bills for FY2023. The House passed H.R. 2617 the following day, on December 23, and the President signed the measure into law (P.L. 117-328) on December 29.

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