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The Enactment of Appropriations Measures During Lame Duck Sessions

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SUMMARY

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The Enactment of Appropriations Measures During Lame Duck Sessions

Thirteen of the past 14 Congresses, covering the 103rd Congress through the 116th Congress, have concluded with a post-election, or "lame duck," session. (No such session occurred in 1996, during the 104th Congress.) Under contemporary conditions, any meeting of Congress that occurs between a congressional election in November 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.

The enactment of appropriations measures has been an element of most of these lame duck sessions. Although no regular or continuing appropriations measures were enacted during lame duck sessions held in 1994, 1998, 2008, and 2012, a total of 37 regular and 23 continuing appropriations measures were enacted during the nine other lame duck sessions held in 2000, 2002, 2004, 2006, 2010, 2014, 2016, 2018, and 2020.

Although some (and occasionally all) of the regular appropriations bills for a fiscal year may be enacted before the fiscal year begins, it has been common in recent decades for Congress to enact most or all of the regular appropriations bills after the start of the fiscal year. In the past, this has triggered the necessity for continuing resolutions (CRs) to extend funding until the annual appropriations acts have been enacted and led to the consideration of regular appropriations during the last quarter of the calendar year or the following session.

A lame duck session occurs during the period following Election Day—which is the Tuesday after the first Monday in November of each even-numbered year—and before the convening of a new Congress about two months later in early January. Several factors may contribute to the occurrence of lame duck sessions, including the need to deal with unfinished appropriations or other budgetary matters.

This report provides information on the enactment of annual appropriations acts and CRs in the years that lame duck sessions occurred between 1994 and 2020 (FY1995, FY1999, FY2001, FY2003, FY2005, FY2007, FY2009, FY2011, FY2013, FY2015, FY2017, FY2019, and FY2021). 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 160 regular appropriations acts during this period were enacted before the beginning of the applicable lame duck session, 37 were enacted during a lame duck session, and 72 were enacted by the new Congress.

Continuing appropriations measures were also an important element in most, but not all, of the lame duck sessions that occurred between calendar years 1994 and 2020. In total, 34 of 69 CRs were enacted before the beginning of the applicable lame duck session, 23 were enacted during the lame duck session, and 12 were enacted by the new Congress.

The report will be updated as developments warrant.

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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 one or more of the regular appropriations bills that are enacted each fiscal year. Although some (and occasionally all) of the regular appropriations bills may be enacted before the fiscal year begins, in recent decades it has been common for most—if not all—of the regular appropriations bills to be enacted after the start of the fiscal year.[1] In many 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, Congress may use one or more continuing appropriations acts (commonly known as continuing resolutions or CRs) to provide interim funding.

Thirteen of the past 14 Congresses, covering the 103rd Congress through the 116th Congress, have concluded with a post-election, or "lame duck," session.[2] The enactment of appropriations measures has been an important consideration during most of these sessions.

This report provides information on the enactment of regular and continuing appropriations measures in connection with lame duck sessions occurring between 1994 and 2020.

Background

A lame duck session occurs during the period following Election Day, which is the Tuesday after the first Monday in November of each even-numbered year, 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.[3] In recent years, new Congresses have convened during the first week of January in each odd-numbered year but not necessarily on January 3.[4] As pointed out in a CRS report:

> A "lame duck" session of Congress is one that takes place after the election for the next Congress has been held but before the current Congress has reached the end of its constitutional term. 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.[5]

[1] Regular appropriations bills may be enacted as freestanding legislative vehicles or as part of an omnibus appropriations act. For further information on the latter, see CRS Report RL32473, *Omnibus Appropriations Acts: Overview of Recent Practices*. 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 further information, see CRS Report R46595, *Continuing Resolutions: Overview of Components and Practices*.

[2] No such session occurred in 1996 during the 104th Congress.

[3] 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/.

[4] For more information, see CRS Report RS20722, *The First Day of a New Congress: A Guide to Proceedings on the Senate Floor*.

[5] CRS Report R45154, *Lame Duck Sessions of Congress, 1935-2018 (74th-115th Congresses)*.

Several factors may contribute to the occurrence 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 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. The consideration and enactment of legislative proposals, particularly those with significant budgetary implications, is sometimes postponed until a lame duck session. For example, during the 2012 lame duck session, the American Taxpayer Relief Act of 2012 (P.L. 112-240), which addressed a number of fiscal policies, was enacted on January 2, 2013.[6] In recent years, lame duck sessions have been used to bring action on regular appropriations bills for a fiscal year to a close.

Twenty-three lame duck sessions occurred between 1935 and 2020.[7] Ten of the 23 lame 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 years, however, occurring about twice as frequently. The remaining 13 lame duck sessions—which occurred after the 1994, 1998, 2000, 2002, 2004, 2006, 2008, 2010, 2012, 2014, 2016, 2018, and 2020 elections—covered a span of 14 Congresses. As **Table 1** shows, lame duck sessions occurred during this period 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, and 2018) or divided. Further, lame duck sessions occurred in presidential election years (2000, 2004, 2008, 2012, 2016, and 2020) as well as nonpresidential election years.

Overview of the Enactment of Appropriations Measures Before, During, and After Lame Duck Sessions

Between calendar years 1994 and 2020, 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. A total of 160 regular appropriations acts were enacted (or covered by full-year CRs) for the fiscal years that coincided with lame duck sessions (see **Table 2**).

In addition, a total of 69 continuing appropriations measures were enacted for the fiscal years that coincided with lame duck sessions during this same period (see **Table 3**). As was the case for the regular appropriations bills, the enactment of continuing appropriations measures were an important consideration during some of the lame duck sessions.

Further information with regard to the annual appropriations acts and CRs that were enacted before, during, and after each lame duck session is displayed in **Table 1** and **Table 2** and

[6] For further information on the American Taxpayer Relief Act of 2012, see CRS Report R42884, *The "Fiscal Cliff" and the American Taxpayer Relief Act of 2012*.

[7] See CRS Report R45154, *Lame Duck Sessions of Congress, 1935-2018 (74th-115th Congresses)*. According to the report, "The possibility of a lame 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 74th 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 lame duck session."

discussed in the report section "Summary of Action on Appropriations Measures in Lame Duck Sessions Held in 1994-2020."

Table 1. Duration of Lame Duck Session and Party Control of Government: 1994-2020

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

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

a. *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.

b. *D* refers to the Democratic Party and *R* refers to the Republican Party.

c. The House and Senate adjourned early in the morning of December 9 (before 5:00 a.m.).

Regular Appropriations Acts

The variation in the incidence of lame duck sessions and the enactment of regular appropriations bills is shown in **Table 2**. There has been considerable variance in the degree to which regular appropriations have been completed before, during, or after the 13 most recent lame duck sessions held since 1994. The count of regular appropriations acts in **Table 2** includes those that were enacted in standalone vehicles or omnibus vehicles or covered by full-year CRs. During the 109th Congress (2005-2006), the number of regular appropriations acts was reduced from 13 to 11 due to the reorganization of the House and Senate Appropriations Committees.[8] At the beginning of the 110th Congress, a further reorganization of the appropriations subcommittees took effect, which resulted in an increase in the number of annual appropriations acts to 12.

In total, 51 of the 160 regular appropriations acts during this period were enacted before the beginning of the applicable lame duck session, 37 were enacted during a lame duck session, and 72 were enacted by the new Congress.[9]

Table 2. Enactment of Regular Appropriations Acts into Law Before, During, and After Lame Duck Sessions: 1994-2020

	Number of Regular Appropriations Acts Enacted:			
Calendar Year	**Before Lame Duck Session**	**During Lame Duck Session**	**After Lame Duck Session**	**Total**
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
Total	**51**	**37**	**72**	**160**

[8] Although the two chambers differed with respect to both the organization and number of appropriations subcommittees and the initial consideration of appropriations legislation, ultimately 11 appropriations acts were agreed to and enacted into law. See CRS Report RL31572, *Appropriations Subcommittee Structure: History of Changes from 1920 to 2021*, by James V. Saturno.

[9] In 2000, the House and Senate completed action on five regular appropriations acts for FY2001 during the lame 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 of the signing of the acts by the President. For purposes of this report, all five acts are regarded as having been enacted during the lame duck session.

Source: Prepared by CRS.

No Enactment of Regular Appropriations Acts During Lame Duck Sessions

No appropriations acts were enacted in nine of the 13 lame duck sessions since 1994 (1994, 1998, 2002, 2006, 2008, 2010, 2012, 2016, and 2018). In 1994 and 1998, all regular appropriations acts for FY1995 and FY1999, respectively, had been enacted prior to the beginning of the lame duck sessions in those years (November 29, 1994, and December 17, 1998, respectively). In other years (2002, 2006, 2008, 2016, and 2018), only some of the regular appropriations acts were enacted prior to the beginning of the lame duck sessions. In each of these years, no further action on the regular appropriations bills occurred during the lame duck session. In two lame duck sessions since 1994 (2010 and 2012), none of the regular appropriations bills were enacted either prior to or during the lame duck session, leaving the enactment of all 12 appropriations bills for FY2011 and FY2013 for the next Congresses.

Enactment of Regular Appropriations Acts During Lame Duck Sessions

The enactment of regular appropriations bills was an important element in four lame duck sessions since 1994 (2000, 2004, 2014, and 2020). In 2000, eight regular appropriations bills were enacted before the lame duck session, and the remaining five were enacted during (or immediately after) the session.[10] In 2004, four regular appropriations bills were enacted before the lame duck session, while Congress enacted the remaining nine during the session. Congress had enacted none of the regular appropriations acts prior to the lame duck sessions in 2014 and 2020. In 2014, Congress enacted a consolidated measure containing 11 of the regular appropriations acts for FY2015 during the lame duck session. The remaining regular bill—for DHS—was not enacted until the next Congress on March 4, 2015. Most recently, in 2020, Congress enacted a consolidated measure containing all 12 of the regular appropriations acts for FY2021 during the lame duck session on December 27, 2020.

Enactment of Regular Appropriations Acts After Lame Duck Sessions

Consideration of the regular appropriations acts for the applicable fiscal year has continued beyond the lame duck session on eight occasions since 1994 (2002, 2006, 2008, 2010, 2012, 2014, 2016, and 2018).

In 2002 and 2006, two of the regular appropriations bills (for FY2003 and FY2007, respectively) had been enacted before the lame duck session began, but final action on the remaining acts was not completed until February during the following Congress. Consideration of appropriations bills for FY2009 followed a similar pattern in the 2008 lame duck session, with three bills enacted before the session and the remaining nine enacted during the next Congress in March 2009. In 2010 and 2012, no regular appropriations bills had been enacted before the start of the lame duck session, and annual appropriations were ultimately provided in consolidated measures enacted by the next Congress. As mentioned above, 11 of the 12 appropriations bills for FY2015 were enacted during the 2014 lame duck session, leaving the DHS bill to be enacted during the next Congress.

For 2016, Congress enacted one regular appropriations bill before the lame duck session began. Funding for the other 11 appropriations bills was provided in a CR that expired during the lame duck session. Upon the CR's expiration, a second CR was enacted to provide funding through

[10] Congress passed four out of the five remaining regular appropriations acts during the lame duck session, but the President did not sign them into law until after the session (see footnote 9).

April. Ultimately, the remaining 11 appropriations acts were consolidated into an omnibus appropriations measure that was enacted by the next Congress in May 2017.

In 2018, five of the regular appropriations acts were incorporated into two omnibus appropriations measures that were enacted before the lame duck session began. Funding was provided for the agencies and activities covered by the seven remaining regular appropriations bills through three CRs, one enacted before the lame duck session that expired on December 7 and another enacted during the lame duck session that expired on December 21. Agreement on a third CR, however, was not reached until January 25, which resulted in a funding gap of 34 days.[11] Congress completed final action on the remaining seven regular appropriations acts in February during the next Congress in a third omnibus appropriations measure.

Continuing Resolutions

Continuing appropriations legislation has been an integral component of the annual appropriations process for decades. When action on one or more of the regular appropriations bills for a fiscal year is not completed until after the fiscal year has begun, CRs are usually used to provide interim funding, thereby avoiding disruption in agency operations. Two considerations that often arise under these circumstances are the duration of time for which funding will be provided by the CR and how to reach agreement on the pending appropriations measures for the new fiscal year.[12]

CRs may have a relatively short duration in the expectation that action on the regular appropriations acts will be concluded within several days or weeks. In this case, multiple short-term CRs have been used to "buy time" for ongoing negotiations on regular appropriations acts while maintaining incentives to complete the negotiations. Alternatively, CRs may have a longer duration to postpone final action on appropriations decisions until after elections or into the beginning of the next congressional session. Finally, a CR may provide funding for the remainder of the fiscal year, as was the case in FY2007, FY2011, and FY2013.

There has been considerable variation in the degree to which CRs have been used to provide interim funding during the 13 most recent lame duck sessions since 1994 (see **Table 3**). A total of 69 CRs were enacted for the fiscal years that coincided with lame duck sessions during this period. In total, 34 of the 69 CRs were enacted before the beginning of a lame duck session, 23 were enacted during the lame duck session, and 12 were enacted afterwards.[13]

No Enactment of Continuing Resolutions During Lame Duck Sessions

In 1994, when Congress enacted all of the regular appropriations bills for FY1995 prior to the beginning of the fiscal year, no CRs were needed. In 1998, Congress enacted all of the regular appropriations bills for FY1999 before the lame duck session began (but not before the beginning of the fiscal year). Six CRs were enacted to provide funding through the first three weeks of the fiscal year, but none were needed afterward. In 2008, the CR that was enacted before the fiscal year began also contained three regular appropriations acts. That CR extended funding for the remaining appropriations acts through March 6, 2009, and action on annual appropriations was

[11] For more information on funding gaps, see CRS Report RS20348, *Federal Funding Gaps: A Brief Overview*.

[12] For a more detailed discussion of this topic, see CRS Report R46595, *Continuing Resolutions: Overview of Components and Practices*.

[13] In 2002, the CR for FY2003 considered during the lame duck session was enacted on November 23, the day after the session ended. For purposes of this report, the CR is considered to have been enacted during the lame duck session because this delay was not due to congressional action.

completed during the following Congress. Similarly, a CR enacted before the 2012 lame duck session provided funding for the first six months of FY2013. Action on annual appropriations for FY2013 was completed during the following Congress on March 28, 2013.

Table 3. Enactment of Continuing Appropriations Legislation into Law Before, During, and After Lame Duck Sessions: 1994-2020

	Number of Continuing Appropriations Acts Enacted:			
Calendar Year	**Before Lame Duck Session**	**During Lame Duck Session**	**After Lame Duck Session**	**Total**
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
Total	**34**	**23**	**12**	**69**

Source: Prepared by CRS.

Enactment of Continuing Resolutions During Lame Duck Sessions

Nine lame duck sessions since 1994 have involved the enactment of one or more CRs. In 2000, six CRs for FY2001 were enacted during the lame duck session. (Fifteen had been enacted before the session began.) Three CRs were enacted for FY2011 and FY2015 during the lame duck sessions in 2010 and 2014, respectively. (One had been enacted before each of the sessions began.) Most recently in 2020, four CRs were enacted for FY2021 during the lame duck session. (One had been enacted before the session began.) Additionally, during the lame duck sessions in 2002, 2004, 2006, 2016, and 2018, either one or two CRs for the applicable fiscal year were enacted to allow sufficient time for the remaining regular appropriations acts to be enacted.

Enactment of Continuing Resolutions Both During and After Lame Duck Sessions

In the case of six lame duck sessions—in 2002, 2006, 2010, 2014, 2016, and 2018—CRs were used to provide interim funding that extended into the following Congress. In 2002, one CR for FY2003 was enacted during the lame duck session. (Four had been enacted before the session began.) Three additional CRs were enacted early in the 2003 session of the next Congress before

action on appropriations was ultimately concluded with the enactment of an omnibus measure on February 20. In 2006, two CRs for FY2007 were enacted during the lame duck session. (One had been enacted before the session began.) Action was concluded early in the 2007 session of the next Congress with the enactment of a full-year CR on February 15. In 2010, three CRs were enacted during the lame duck session. (One had been enacted before the session began.) Four additional CRs were used after the 2011 session of the next Congress had begun, and action on FY2011 appropriations concluded with the enactment of a consolidated measure on April 15, 2011.

During the 2014 lame duck session, two CRs were enacted to provide interim funding before a consolidated measure was enacted. Eleven of the appropriations acts for FY2015 were enacted in that consolidated measure, along with a CR that provided interim appropriations for the remaining regular appropriations bill into the next Congress. Those interim appropriations were later extended by another CR until action on that final appropriations measure was completed on March 4, 2015.

For 2016, temporary funding for the 11 appropriations bills that had not yet been enacted was provided by a CR that expired during the lame duck session. Upon that CR's expiration, a second CR was enacted to provide funding beyond the end of the lame duck session (through April 28), which was followed by one additional CR in the next Congress. The remaining 11 appropriations acts were then consolidated into an omnibus appropriations measure that was enacted on May 5, 2017.

In 2018, temporary funding for the seven appropriations bills that had not yet been enacted was provided by a CR that expired during the lame duck session on December 7.[14] A second CR was enacted, which provided funding for another two weeks, through December 21. Additional continuing appropriations were considered in the House and Senate but not enacted. This resulted in a 34-day funding gap that concluded during the next session of Congress. A third CR was enacted on January 25, 2019, and a third omnibus appropriations measure funding the remaining seven appropriations acts was enacted on February 15.[15]

Summary of Action on Appropriations Measures in Lame Duck Sessions Held in 1994-2020

A brief summary of action on regular appropriations and CRs enacted during each of the 13 lame duck sessions that occurred during the period between 1994 and 2020 is provided below.

1994 and 1998 Lame Duck Sessions

In 1994, a lame duck session was held from November 29 to December 1.

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

[14] That CR was included as a title in an omnibus appropriations act. See Division C of the FY2019 Consolidated Defense, Labor-HHS-Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (P.L. 115-245).

[15] For further information, see CRS Report R45906, *Congressional Action on FY2019 Appropriations Measures: 115th and 116th Congresses*; and CRS Report RS20348, *Federal Funding Gaps: A Brief Overview*.

For 1996, all regular appropriations acts were completed prior to the beginning of the fiscal year, and no lame duck session was held.

In 1998, a lame duck session was held on December 17-19.

All 13 of the regular appropriations acts for FY1999 were enacted prior to the lame duck session—five separately and eight in an omnibus 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 through October 21.

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

2000 Lame Duck Session

In 2000, a lame duck session was held from November 13 to December 15.

Eight of the 13 regular appropriations acts for FY2001 were enacted prior to the lame duck session—six separately and two as part of an omnibus 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 CRs were also enacted before the lame duck session began.

The remaining five regular appropriations acts for FY2001 were considered and enacted during the lame duck session.[16] An omnibus 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.

2002 Lame Duck Session

A lame duck session was held November 7-22, 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 further CR for the fiscal year was considered and enacted during the lame duck session (P.L. 107-294; November 23, 2002)[17] 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 enacted early in the next Congress as a single measure, the

[16] The House and Senate completed action on 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.

[17] The CR was considered during the lame duck session but was enacted on November 23, the day after the session ended. For purposes 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.

FY2003 Consolidated Appropriations Resolution (P.L. 108-7; February 20, 2003), several weeks after the lame duck session had ended.

2004 Lame Duck Session

The lame duck session for 2004 was held from November 16 to December 8.

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.

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

2006 Lame Duck Session

The lame duck session for 2006 was held from November 13 to December 9.

Two of the 11 regular appropriations acts for FY2007 were separately enacted before the lame 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. The nine other appropriations acts were extended through November 17 via a CR enacted on September 29 (P.L. 109-289).

Two additional CRs were passed during the lame 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 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 Lame Duck Session

The lame duck session for 2008 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 lame duck session as part of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, which became law on September 30 (P.L. 110-329). This CR extended funding for the nine remaining appropriations acts through March 6, 2009.

No action on appropriations was undertaken during the 2008 lame duck session.

The remaining appropriations acts were consolidated in the early days of the 111th Congress into the FY2009 Omnibus Appropriations Act, which was signed by the President on March 11, 2009 (P.L. 111-8).

2010 Lame Duck Session

The lame duck session for 2010 was held from November 4 to December 19.

None of the 12 regular appropriations bills 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 extended budget authority through December 3.

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

In the first months of the 112th Congress, three additional CRs (P.L. 112-4, enacted on March 2, 2011; P.L. 112-6, enacted on March 18, 2011; P.L. 112-8, enacted on April 9, 2011) provided further interim budget authority. FY2011 appropriations were ultimately provided in the FY2011 Department of Defense and Full-Year Continuing Appropriations Act (P.L. 112-10; April 15, 2011). Division A contained the Department of Defense Appropriations Act. Funding for the 11 remaining acts was provided in Division B through a full-year CR.

2012 Lame Duck Session

The lame duck session for 2012 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. None had been passed by the Senate. Continuing appropriations through March 27, 2013, were provided by P.L. 112-175, which was enacted on September 28, 2012.

No regular appropriations acts or CRs were enacted during the lame duck session.

Annual appropriations were provided by P.L. 113-6, the FY2013 Consolidated and Further Continuing Appropriations Act, which was enacted on March 26, 2013, by the new Congress. Division F of the act, entitled "the Full-Year Continuing Appropriations Act, 2013," provided budget authority that covered seven regular appropriations bills. The texts of the other five regular FY2013 appropriations acts were contained in Divisions A-E of P.L. 113-6.

2014 Lame Duck Session

The lame duck session for 2014 was held from November 12, 2014, to January 3, 2015.

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

During the lame 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 interim FY2015 appropriations for DHS 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 lame duck session to provide short-term appropriations while the consolidated measure was being completed.

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

2016 Lame Duck Session

The lame duck session for 2016 was held from November 14, 2016, to January 2, 2017.

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

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

In the next congressional session, a third CR was enacted on April 28 that provided funding through May 5, 2017 (P.L. 115-30). An omnibus appropriations measure was enacted on May 5 that encompassed the remaining 11 appropriations bills for FY2017 (P.L. 115-3).

2018 Lame Duck Session

The lame duck session for 2018 was held from November 13, 2018 to January 3, 2019.

Two omnibus appropriations acts (P.L. 115-244 and P.L. 115-245), containing a total of five FY2019 regular appropriation bills (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 funding for the agencies and activities covered by other seven regular appropriations bills through December 7, 2018.

During the lame duck session, a second CR (P.L. 115-298), which provided funding through December 21, was enacted on December 7. 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), which provided funding through February 15, was enacted by the new Congress. The full-year appropriations for the seven remaining regular appropriations acts were provided by an omnibus appropriations measure—the FY2019 Consolidated Appropriations Act, 2019 (P.L. 116-6)—which was enacted on February 15.[18]

2020 Lame Duck Session

The lame duck session for 2020 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 enacted a CR covering all 12 bills on October 1, 2020, to provide continuing appropriations for FY2021 through December 11, 2020 (P.L. 116-159). Congress then extended continuing appropriations for FY2021 four times during the lame duck session, enacting CRs on December 11, 2020 (P.L. 116-215), December 18, 2020 (P.L. 116-225), December 20, 2020 (P.L. 116-226), and December 22, 2020 (P.L. 116-246).

On December 21, 2020, the House and Senate passed the Consolidated Appropriations Act of 2021, which the President signed into law on December 27, 2020 (P.L. 116-260). Divisions A through L of the act provided funding for all 12 of the regular appropriations bills for FY2021.

[18] For a more detailed discussion of this topic, see CRS Report R45906, *Congressional Action on FY2019 Appropriations Measures: 115th and 116th Congresses*.

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