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Congress Prepares for the Lame Duck Session

With the much-anticipated midterm elections just a day away, our attention will soon be turned to the lame duck session—the weeks between a November election and when a new Congress convenes in early January. Lame-duck periods are often light on substance with spotty attendance, but Congress' remaining to-do list makes this one high stakes for both parties.

Finalizing the Budget

Upon returning to Washington on November 9, Congress will refocus on fiscal year (FY) 2027 funding that they punted in bipartisan fashion to focus on the midterm elections. The continuing resolution (CR) that's currently keeping the government funded will expire on December 11. Without the call of the campaign trail, the bipartisan spirit that made the CR possible may be long gone.

Much will depend on the election outcomes, but some likely lame-duck funding scenarios include another short-term CR that punts funding decisions to Q1 of 2027, an omnibus package or a series of packages that include FY 2027 appropriations along with other must-pass extensions and authorizations, or a hybrid that provides full-year funding for some agencies and programs and temporary patches for others.

Government Shutdown Outlook

The campaign season compelled both parties toward a CR instead of a shutdown, and while the chances of a partial or full government shutdown in December are still low, they exist. Without political incentives to avoid a shutdown, a funding disagreement could quickly escalate shutdown threats.



Anticipated funding disagreements include the National Defense Authorization Act (NDAA), which carries an especially large price tag for FY27, and the OMB Uniform Guidance overhaul, which the current CR explicitly prevents. While supporters of the OMB's Uniform Guidance overhaul did not object to the CR blocking its implementation, they will likely object to efforts to do so for the entirety of FY27.

Election Outcome will Influence Lame Duck Strategies

With leadership of both the House and the Senate up for grabs, the election results will set the tone and pace for the lame duck.

If Republicans win both the House and Senate, they will be bullish about the 120th Congress (2027-2028) and will set a much more leisurely pace in the lame duck. With two years ahead of them, they can continue to pursue a third party-line reconciliation bill and other party-line initiatives in 2027 and 2028.

If Republicans lose both the House and the Senate, they will pack the lame duck calendar with as many party-line initiatives as possible. This will include a third reconciliation bill with party-line initiatives that include a debt-ceiling increase and NDAA funding.

Leadership's efforts may be a long shot due to time constraints, intra-party disagreements, and the willingness of their members to show up in the remaining weeks, but their strategy would be to gain as much ground as possible before losing power. Democrats will seek to run out the clock during the lame duck to prevent Republicans from moving their priorities across the finish line before losing power.

This scenario will also have implications on the executive branch, as Democrats will seek to reign in executive power. And tucked into all of this will be leadership elections for both parties. Favorable election outcomes typically protect current party leaders while unfavorable outcomes lead to leadership changes.

The next few weeks carry major implications for many areas of U.S. policy, policymakers, and those who seek to influence them. ASTCT's Government Relations team will continue to monitor and advocate for our priority issues. As always, if you have questions, please contact Molly Ford, ASTCT's Director of Government and Payer Relations.

