

Tracking the New Administration’s CFPB

KEY REGULATION UPDATES REFERENCE GUIDE

During the final hours of the Biden Administration, the CFPB released several rules and proposed rules and was in active litigation defending its earlier rules. We created this quick reference guide to all the major¹ regulations and related litigation activities that are still in flux after the administration change.

Last Updated: June 29, 2025

Regulation or Guidance	Summary	Key Dates	Status of Regulation, and Whether it is Subject to the Congressional Review Act (CRA) ²	Status of Litigation (if any) Challenging the Regulation or Guidance
Prohibition on Creditors and Consumer Reporting Agencies Concerning Medical Information (Regulation V)	Final rule. The final rule bans the inclusion of medical bills on credit reports used by lenders and prohibits lenders from using medical information in their lending decisions.	January 7, 2025: CFPB released final rule January 14, 2025: Final rule published in Federal Register	Reviewable by the current Congress under the CRA. On March 11, 2025, Sen. Mike Rounds (RSD) introduced a CRA resolution seeking to disapprove of the rule. Rule’s effective date was stayed until July 28, 2025.	<i>Cornerstone Credit Union League et al v. Consumer Financial Protection Bureau et al., U.S. District Court for the Eastern District of Texas (No. 4:25-cv-16)</i> Lawsuit filed January 7, 2025. New Mexico Center on Law and Poverty (NMCLP), Tzedek DC, Harvey Coleman, and David Deeds moved to intervene in the case to defend the rule on February 24, 2025. The motion to intervene was granted on May 9, 2025. Plaintiffs and the CFPB filed a joint motion to approve a consent judgment vacating the rule. After a hearing on June 11, 2025, the parties filed supplemental briefs arguing their positions for and against vacatur of the rule, either via consent judgment, or summary judgment.
Residential Property Assessed Clean Energy Financing (Regulation Z)	Final rule. This final rule prescribes ability-to-repay rules for Property Assessed Clean Energy (PACE) financing and applies TILA civil liability provisions to violations.	December 17, 2024: CFPB released final rule January 1, 2025: Final rule published in Federal Register March 1, 2026: Effective date	Final rule falls within the lookback period.	<i>Building Resilient Infrastructure & Developing Greater Equity, Inc. v. Consumer Financial Protection Bureau et al., U.S. District Court for the Middle District of Florida (No. 8:25-CV-01367)</i> Lawsuit filed May 28, 2025. Plaintiff Building Resilient Infrastructure & Developing Greater Equity, Inc. are challenging the rule. The CFPB’s deadline to respond is July 3, 2025.

¹ This chart includes substantive rules imposing new compliance requirements that were proposed or finalized January 1, 2024, through the present. Rules implementing less substantive requirements, such as statutorily-mandated threshold adjustments, for instance, are outside the scope of this summary.

² The [CRS](#) estimated August 1, 2024, as the lookback date for the current 119th Congress. Based on a lookback period of August 1, 2024, CRS estimated Congress may introduce disapproval resolution until late March 2025 and will make the CRA “fast track” procedures available to consider such joint resolutions in the Senate until late May or early June 2025. If a disapproval resolution passes both the House and Senate, and is signed by the President, the rule will not take effect and the CFPB may not reissue the rule in “substantially the same form” or issue a “new rule that is substantially the same” as the disapproved rule “unless the reissued or new rule is specifically authorized by a law enacted after the date of the joint resolution disapproving the original rule.” We are also monitoring the Midnight Rules Relief Act ([H.R. 77](#)), which would expand the lookback time period for rules subject to CRA disapproval.

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Overdraft Lending: Very Large Financial Institutions Final Rule	Final rule. This final rule amends Regulations E and Z to update regulatory exceptions for overdraft credit provided by very large financial institutions, unless the overdraft fee is a small amount that only recovers estimated costs and losses.	December 12, 2024: CFPB released final rule December 30, 2024: Final rule published in Federal Register October 1, 2025: Effective date	On February 13, 2025, House Financial Service Committee Chairman French Hill (RAR) and Senate Banking Committee Chairman Tim Scott (RSC) introduced CRA resolutions to overturn this rule. On March 26, 2025, the Senate approved the resolution by a 52-47 vote, followed by the House on April 9, 2025, which passed it with a 217-202 vote. The CRA resolution was sent to the President on May 5, 2025, and was signed on May 9, 2025. VACATED BY CRA RESOLUTION	<i>Mississippi Bankers Association et al v. Consumer Financial Protection Bureau et al, U.S. District Court for the Southern District of Mississippi (No. 3:24cv00792)</i> Lawsuit filed December 12, 2024. Plaintiffs filed a motion for preliminary injunction on December 18, 2024. The CFPB filed its Memorandum in Opposition on January 14, 2025. On February 6, the CFPB filed a consent motion to stay proceedings for 90 days, and stated that the Bureau does not oppose a 90-day stay of the rule's October 1, 2025, effective date. On March 4, 2025, the court granted a motion to intervene filed by consumer groups Mississippi Center for Justice and MyPath. The motion requested the court permit the consumer groups to defend the rule on behalf of the CFPB. On March 18, 2025, intervenors filed their opposition to the motion for preliminary junction and stay motion, and filed their answer to the complaint. In its March 25, 2025, reply to its stay motion, the CFPB noted it is considering "whether it would be appropriate to propose amending the Rule." The Plaintiff trade groups filed rebuttals to the Intervenors' opposition positions on April 4, 2025. The court dismissed the matter as moot on May 16, 2025.
<u>Fair Credit Reporting Act (Regulation V); Identity Theft and Coerced Debt</u>	Advance notice of proposed rulemaking. This advance notice of proposed rulemaking solicits information on amending the definitions of "identity theft" and "identity theft report" in Regulation V.	December 9, 2024: CFPB issued advance notice of proposed rulemaking March 7, 2025: Deadline for comments	CRA only applies to final rules. Proposed rules may be withdrawn or no further action taken at the Director's discretion.	N/A
Streamlining Mortgage Servicing for Borrowers Experiencing Payment Difficulties (Regulation X)	Proposed rule. This proposed rule would amend regulations regarding the responsibilities of mortgage servicers in loss mitigation contexts.	July 10, 2024: CFPB issued proposed rule. July 24, 2024: Proposed rule published on the Federal Register September 9, 2024: Deadline for comments.	CRA only applies to final rules. Proposed rules may be withdrawn or no further action taken at the Director's discretion.	N/A
Remittance Transfers Under the Electronic Fund Transfer Act (Regulation E)	Proposed rule. This proposed rule would amend certain remittance transfer disclosure requirements in the remittance rule in Regulation E and certain model forms.	September 30, 2024: Proposed Rule published in the Federal Register November 4, 2024: Deadline for comments	CRA only applies to final rules. Proposed rules may be withdrawn or no further action taken at the Director's discretion.	N/A

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<u>Protecting Americans from Harmful Data Broker Practices (Regulation V)</u>	Proposed rule. The proposed rule would implement the FCRA's definitions of consumer report and consumer reporting agency as well as certain of the FCRA's provisions governing when consumer reporting agencies may furnish, and users may obtain, consumer reports.	December 3, 2024: CFPB released proposed rule March 3, 2025: Deadline for comments	CRA only applies to final rules. Proposed rules may be withdrawn or no further action taken at the Director's discretion. This proposed rule was withdrawn on May 15, 2025. See Protecting Americans From Harmful Data Broker Practices (Regulation V); Withdrawal of Proposed Rule (90 FR 20568). WITHDRAWN BY CFPB	N/A
<u>Defining Larger Participants of a Market for General-Use Digital Consumer Payment Applications</u>	Final rule. The final rule defines larger participants of a market for general-use digital consumer payment applications and subjects them to CFPB's supervisory authority.	November 21, 2024: CFPB released final rule December 10, 2024: Published in Federal Register January 9, 2025: Effective date	On February 27, 2025, Rep. Mike Flood and Sen. Pete Ricketts introduced CRA resolutions to overturn the rule. On March 5, 2025, the Senate approved the resolution by a 51-47 vote, followed by the House on April 9, 2025, which passed it with a 219-202 vote. The CRA resolution was sent to the President on May 5, 2025, and was signed on May 9, 2025. VACATED BY CRA RESOLUTION	<i>Technet and Netchoice, LLC v. Consumer Financial Protection Bureau and Rohit Chopra, U.S. District Court for the District of Columbia (No. 1:25cv00118)</i> Lawsuit filed January 16, 2025. The CFPB's answer was initially due March 22, 2025. The CFPB was granted an extension of time to answer the Complaint until May 23, 2025. Plaintiffs filed a notice of voluntary dismissal on May 20, 2025.
<u>Final Rule for the Required Rulemaking on Personal Financial Data Rights; Section 1033 of the Consumer Financial Protection Act of 2010 (CFPA)</u>	Final rule. The final rule requires data providers to make available to consumers and authorized third parties' data regarding covered financial products and services in an electronic form, subject to a number of requirements. The final rule also sets forth criteria a third party must satisfy in order to be an authorized recipient, including certifying it will satisfy certain obligations regarding the collection, use, and retention of covered data.	October 22, 2024: CFPB released a final rule for the Required Rulemaking on Personal Financial Data Rights November 18, 2024: Published in Federal Register January 17, 2025: Effective date June 1, 2026*: First compliance date	Final rule falls within the lookback period. *The rule's original compliance deadlines were tolled 60 days. The first compliance date is now June 1, 2026.	<i>Forcht Bank, NA et al v. Consumer Financial Protection Bureau, U.S. District Court for the Eastern District of Kentucky (No. 5:24cv00304)</i> Lawsuit filed October 23, 2024. Fintech industry group the Financial Technology Association (FTA) moved to intervene to defend the Final Rule on behalf of the CFPB on February 12, 2025. On March 26, 2025, the parties jointly requested a further 60 day stay as well as a 60-day tolling of the compliance deadlines to facilitate the CFPB's continued review of the Rule. The court granted the motion on March 27, 2025. On May 14, 2025, the court granted FTA's motion to intervene, after both the CFPB and Plaintiffs indicated their consent to intervention. On May 27, 2025, the CFPB filed a Status Report regarding its position on the 1033 rule. The CFPB stated that "leadership has determined that the Rule is unlawful and should be set aside." On May 30, 2025, both Plaintiffs and the CFPB filed their motions for summary judgment, seeking to vacate the rule. FTA's opposition and cross-motion for summary judgment were filed June 29, 2025.

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<u>Registry of Nonbank Covered Persons Subject to Certain Agency and Court Orders</u>	Final rule. This final rule establishes a public registry of certain nonbank covered entities that are subject to a public written order imposing obligations based on violations of certain consumer protection laws (from 2024 onwards).	July 8, 2024: Final rule published in Federal Register September 16, 2024: Effective date	The rule is not included within the lookback period. The CFPB <u>announced</u> on April 11, 2025 that “it will not prioritize enforcement or supervision actions with regard to entities that do not satisfy future deadlines under the regulation to submit registration information.” On May 14, 2025, the CFPB issued a <u>proposed rule</u> to rescind the rule. Comments must be received by June 13, 2025.	N/A
<u>Truth in Lending (Regulation Z); Consumer Credit Offered to Borrowers in Advance of Expected Receipt of Compensation for Work</u>	Advisory opinion rescinding previous advisory opinion. This advisory opinion explains that many paycheck advance products, sometimes marketed as “earned wage access” products, are consumer loans subject to the Truth in Lending Act.	July 18, 2024: CFPB released proposed rule July 31, 2024: Proposed rule published in the Federal Register January 15, 2025: Advisory opinion published on the federal register.	This advisory opinion was listed on the May 12, 2025 <u>rule</u>, “Withdrawal of Bureau guidance, interpretive rules, policy statements, and advisory opinions.” WITHDRAWN BY CFPB	N/A

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Small Business Lending under the Equal Credit Opportunity Act (Regulation B); Note: Interim Rule Extension of Compliance Dates	Final Rule. This final rule amended Regulation B to require financial institutions to collect and report to the CFPB data on applications for credit for small businesses, including those that are owned by women or minorities. Interim rule. In light of court orders in ongoing litigation challenging the CFPB's Section 1071 rulemaking on small business lending data collection, the CFPB amended Regulation B to extend the compliance dates set forth in its 2023 small business lending rule and to make other date related conforming adjustments (compliance deadlines are currently July 18, 2025, January 16, 2026 and October 18, 2026, depending on number of covered transactions).	March 30, 2023: Final Rule issued by the CFPB May 31, 2023: Final Rule published in the Federal Register. June 25, 2024: Interim rule released by CFPB July 3, 2024: Rule published in Federal Register August 2, 2024: Effective date	The rule is not included within the lookback period. The CFPB announced on April 30, 2025 that “it will not prioritize enforcement or supervision actions with regard to entities that are currently outside the stay imposed under Texas Bankers Association v. CFPB, No. 24-40705 (CA5).” The CFPB also stated that “[e]ven absent resource constraints, the Bureau would deprioritize enforcement of this rule because of the unfairness of enforcing it against entities not protected by the court’s stay but similarly situated to parties that are protected by the stay.” On June 18, 2025, the CFPB issued an interim rule extending the compliance deadlines. The first compliance deadline is for the highest volume of lenders (Tier 1) who must begin complying on July 1, 2026.	<i>Texas Bankers Assoc v. CFPB</i>, U.S. Court of Appeals for the 5th Circuit (No. 24-40705) Lawsuit filed October 25, 2024. The District Court for the Southern District of Texas had upheld the rule, and plaintiffs appealed. Oral argument was set for February 3, 2025. The CFPB, after filing an emergency notice, did not participate in argument and requested a pause in proceedings. On February 7, 2025, the 5th Circuit granted Plaintiffs’ motion, with the CFPB’s consent, to toll deadlines for compliance with the rule pending resolution of the appeal, “but only for plaintiffs and intervenors in this case, pending further order.” On June 20, 2025, the court directed the CFPB to file a status report by July 16, 2025, notifying the court of “its position.” <i>Revenue Based Finance Coalition v. CFPB</i>, U.S. District Court for the Southern District of Florida (No. 23-24882) Lawsuit filed December 26, 2023. The CFPB and the plaintiff filed cross-motions for summary judgment in March 2024, which the District Judge referred to the Magistrate Judge for a Report and Recommendation (R&R). At the time of the Freeze the motions were fully briefed. Magistrate Judge Eduardo I. Sanchez issued a R&R on Feb 17, 2025, that recommended the court grant the CFPB’s motion for summary judgment. On February 21, 2025, the case was stayed for 60 days pending briefing of any objections to the R&R. On March 13, 2025, Plaintiff filed an unopposed motion to stay the rule and toll the compliance deadlines as to Plaintiff and its members. On April 3, 2025, the CFPB filed a response in support of the motion to stay, offered to file periodic status reports every 90 days, and explained that the “CFPB’s new leadership has directed staff to initiate a new Section 1071 rulemaking and that the CFPB “anticipates issuing a Notice of Proposed Rulemaking as expeditiously as reasonably possible.” The court granted the request on May 6, 2025, and stayed the case. <i>The Monticello Banking Company et al. v. Consumer Financial Protection Bureau et al.</i>, U.S. District Court for the Eastern District of Kentucky, (No. 6:23cv00148) Lawsuit filed August 11, 2023. The CFPB moved for an extension of 90 days to respond to the amended complaint due to the Freeze, but Plaintiffs responded that the deadline for banks to comply with the rule was looming (July 18, 2025 for certain institutions) and they would be prejudiced by the delay. The CFPB filed a reply stating that it does not object to an extension of the rule’s compliance deadline “for the length of time that the 5th Circuit’s order staying the compliance deadlines for the parties in that case is in effect, or until further order of this Court.” The court then stayed the case until May 30, 2025 and ordered the CFPB to file a response to the complaint on or before that date. The court also stayed compliance deadlines for Plaintiffs until further order of the court and ordered the CFPB to file a notice with the court within 7 days of the 5th Circuit’s ruling in the Texas litigation. On June 19, 2025, Plaintiffs filed a response to the CFPB’s motion to stay, asking the court to set a deadline for the CFPB’s response to its complaint.

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<u>Quality Control Standards for Automated Valuation Models</u>	Interagency final rule. This rule implements the quality control standards mandated by the Dodd Frank Act for the use of automated valuation models (AVMs) by mortgage originators and secondary market issuers in appraising a consumer's principal dwelling for a mortgage transaction.	June 24, 2024: CFPB released rule August 7, 2024: Published in the Federal Register October 1, 2025: Effective date of the rule	On February 12, 2025, Rep. Andrew Clyde introduced a CRA resolution to overturn the rule.	N/A
<u>Required Rulemaking on Personal Financial Data Rights; Industry Standard-Setting; Section 1033 of the Consumer Financial Protection Act of 2010 (CFPA)</u>	Final rule. The final rule establishes minimum attributes a standard-setting body must possess to receive CFPB recognition and to issue consensus standards when the remaining parts of the rule are finalized.	June 5, 2024: CFPB released a final rule June 11, 2024: Final rule published in Federal Register July 11, 2024: Effective date	The rule is not included within the lookback period.	N/A
<u>Truth in Lending (Regulation Z); Use of Digital User Accounts to Access Buy Now, Pay Later Loans</u>	Interpretive rule. This interpretive rule applied TILA to buy-now-pay-later credit.	May 22, 2024: CFPB released interpretive rule May 31, 2024: Interpretive rule published in the Federal Register August 1, 2024: Deadline for comments	The interpretive rule is not included within the lookback period. The interpretive rule is listed on the May 12, 2025 <u>rule</u>, "Withdrawal of Bureau guidance, interpretive rules, policy statements, and advisory opinions." WITHDRAWN BY CFPB	<i>Financial Technology Association v. Consumer Financial Protection Bureau</i>, U.S. District Court for the District of Columbia (1:24cv2966) Lawsuit filed October 18, 2024. The CFPB filed an answer to the complaint in December 2024. On February 21, 2025, Plaintiff filed a notice of anticipated summary judgment and requested a pre-motion conference as required by the court's standing order. On March 26, 2025, the CFPB filed a joint motion to stay the case, indicating that the "Bureau is planning to revoke the Interpretive Rule." On March 31, 2025, the court granted the motion and stayed the case indefinitely. The court also ordered the CFPB to submit status reports every 30 days "regarding the Bureau's progress toward revocation of the Interpretive Rule challenged by Plaintiff in this action." On June 2, 2025, the parties stipulated to dismiss the lawsuit. At the same time, the CFPB filed a status report which notified the court that the interpretive rule had been withdrawn, and provided substantive legal reasoning explaining that BNPL products generally are not "open end credit" under TILA and Regulation Z.

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<u>Credit Card Penalty Fees (Regulation Z)</u>	Final rule. This final rule adopts a late fee safe harbor threshold of \$8 for credit card issuers.	March 15, 2024: Final rule published in Federal Register May 14, 2024: Effective date	The rule is not included within the lookback period. VACATED BY COURT	<i>Chamber of Commerce of the United States of America et al v. Consumer Financial Protection Bureau et al</i>, U.S. District Court for the Northern District of Texas, (No. 4:24CV00213) Lawsuit filed March 7, 2024. April 15, 2025, the parties filed a joint motion for entry of a consent judgment vacating the Late Fee Rule. The parties agreed that the CFPB violated the CARD Act in the Late Fee Rule “by failing to allow card issuers to ‘charge penalty fees reasonable and proportional to violations.’” The parties also requested that the Court dismiss the remaining claims with prejudice. The same day, the court entered an order granting the motion, vacating the rule and dismissing the remaining counts.
<u>Prohibited Terms and Conditions in Agreements for Consumer Financial Products or Services (Regulation AA)</u>	Proposed rule. The proposed rule would prohibit covered persons from including in their contracts any provisions purporting to waive substantive consumer legal rights and protections (or their remedies) granted by state or federal law. The proposal would also prohibit contract terms that limit free expression, including threats of account closure, fines, breach of contract claims, and other contract terms.	January 13, 2025: CFPB released proposed rule April 1, 2025: Deadline for comments	CRA only applies to final rules. Proposed rules may be withdrawn or no further action taken at the Director’s discretion. This proposed rule was withdrawn on May 15, 2025. See Prohibited Terms and Conditions in Agreements for Consumer Financial Products or Services (Regulation AA); Withdrawal of Proposed Rule (90 FR 20569). WITHDRAWN BY CFPB	N/A
<u>Electronic Fund Transfers Through Accounts Established Primarily for Personal, Family, or Household Purposes Using Emerging Payment Mechanisms (Electronic Fund Transfer Act; Regulation E)</u>	Proposed rule. This interpretive rule expands Regulation E to stablecoins, crypto, virtual currencies, and other forms of electronic payment.	January 10, 2025: CFPB released proposed rule January 15, 2025: Proposed rule published in Federal Register March 31, 2025: Deadline for comments	CRA only applies to final rules. Proposed rules may be withdrawn or no further action taken at the Director’s discretion. This proposed rule was withdrawn on May 15, 2025. See Electronic Fund Transfers Through Accounts Established Primarily for Personal, Family, or Household Purposes Using Emerging Payment Mechanisms; Withdrawal (90 FR 20568). WITHDRAWN BY CFPB	N/A

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<u>UDAAP Examination Manual, Updated March 2022</u>	The CFPB made changes to the UDAAP examination manual which interpreted the Bureau's UDAAP authority to allow the CFPB to regulate discrimination as a UDAAP. The changes were later reversed in 2023.	March 16, 2022: CFPB announced updated exam manual. September 1, 2023: CFPB removed UDAAP changes.	N/A	<i>Chamber of Commerce of the United States of America et al v. Consumer Financial Protection Bureau et al, U.S. Court of Appeals for the 5th Circuit (No. 23-40650)</i> Lawsuit filed November 8, 2023. This case challenges the CFPB's changes to the UDAAP examination manual. The federal District Court for the Eastern District of Texas vacated the CFPB's changes to the manual, and the CFPB appealed. Oral argument was set for February 3, 2025. The CFPB, after filing an emergency notice, did not participate in oral argument and requested a pause in proceedings. Upon consent motion by the CFPB, on February 18, 2025, the court entered a 90-day stay of the case to "facilitate the Acting Director's review of ongoing litigation." On April 30, 2025, the parties filed a joint stipulation to dismiss the appeal, which the court granted on May 1, 2025.