

# **GOP Senators Moving to Invoke the Congressional Review Act Over Biden-Era Rules**

Article By:

A.J. S. Dhaliwal

Mehul N. Madia

Beineng Zhang

---

The CFPB is facing pushback from the U.S. Senate over two final rules issued under the Biden administration: one [expanding oversight of nonbank digital payment providers](#) and another [limiting the reporting of medical debt](#). Both efforts invoke the [Congressional Review Act](#) (CRA), a legislative mechanism that allows Congress to roll back recently finalized federal regulations.

The CRA gives Congress the authority to nullify federal agency rules within 60 legislative days of their finalization. To successfully repeal a rule, both the Senate and the House must pass a joint resolution of disapproval, which then requires the President's signature. If a rule is repealed under the CRA, the agency is prohibited from issuing a substantially similar regulation unless Congress explicitly authorizes it.

On March 5, the U.S. Senate [voted to repeal](#) the CFPB's nonbank digital payment supervision rule, which expands the agency's supervisory authority over large nonbank payment providers. Under the rule (previously discussed [here](#)), a nonbank covered person is subject to the Bureau's supervisory authority if it conducts more than 50 million consumer payment transactions annually. This definition classifies certain large nonbank entities as "larger participants" in the consumer financial market, making them subject to CFPB examinations and reporting requirements.

On March 11, Republican lawmakers introduced a separate [resolution](#) to overturn the CFPB's medical debt reporting rule (previously discussed [here](#)), which requires consumer reporting agencies to remove all medical debt data from credit reports, preventing lenders from considering unpaid medical bills when evaluating credit applications. The rule has faced legal challenges since its inception (discussed [here](#) and [here](#)). The resolution is still pending in the Senate and has not yet been voted on.

**Putting It Into Practice:** The recent challenges to the CFPB rules using the CRA reflect a broader trend of increased scrutiny over regulatory measures enacted toward the end of the Biden Administration. Moreover, this trend is not isolated to the CFPB, as other agencies have also seen

their rules targeted.

[Listen to this post](#)

Copyright © 2025, Sheppard Mullin Richter & Hampton LLP.

---

National Law Review, Volume XV, Number 73

Source URL: <https://natlawreview.com/article/gop-senators-moving-invoke-congressional-review-act-over-biden-era-rules>