

## CFPB Examiner Humility Pledge and Funds Woes

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The Consumer Financial Protection Bureau (“CFPB”), which has seen the scope of its activities, funding and staffing dramatically impacted since January of this year, has introduced a **“Humility Pledge”** that must be read at the beginning of a supervision exam by the CFPB examiners.

Skipping over 2025 examinations entirely (i.e., because there have been so very few this year), the pledge recites that 2026 examinations will “be on identified priority markets and the resulting findings will focus on pattern and practice violations of law where there is tangible and identifiable consumer harm.” The pledge promises that “expansive data sets” will not be necessary and that exam times will be reduced from 8 weeks to a time period “commensurate with the defined scope of exams.”

This shift from the CFPB is certainly welcome news to any financial institution that has been subject to CFPB examinations, particularly since the pledge states that the CFPB’s “goal is to work collaboratively with the entities” to review their compliance processes and existing problems, as well as to encourage “self-reporting and resolving issues in Supervision, where feasible, instead of via Enforcement.” The capitalization of these terms, by the way, is a reference to the Division of Supervision within the CFPB resolving issues and refraining from referring problems for resolution to the Division of Enforcement. This kind of separation between supervisory activities and enforcement activities is more consistent with how federal banking agencies have traditionally managed problems occurring with supervised institutions. So, again, this shift is welcome news to such institutions.

Interestingly, however, while the publication of the Humility Pledge seems to indicate that the CFPB will be actively supervising in 2026, the funding for the CFPB has been hobbled even further by [a filing telling the D.C. Circuit Court in the CFPB employee worker’s union case against Director Vought, NTEU v. Vought, that the CFPB “may not legally request funds” from the Federal Reserve](#) to support its statutory functions because the Federal Reserve does not have any “combined earnings”, as required by the Dodd-Frank Act.

Finally, just this week, the CFPB issued its mandated [annual report](#) to Congress regarding its activities in 2024 to enforce the Fair Debt Collection Practices Act (“FDCPA”). This report has been provided to Congress in the first quarter of the year, every year, since the CFPB has been in existence, so it is anomalous for this late publication. The CFPB’s activities in 2024 were described over 31 pages, describing its analysis of related consumer complaints (207,800 complaints), seven main areas of findings during supervision examinations, the filing of three amicus briefs, the issuance of an advisory opinion, outreach to veterans, seniors and students regarding debt-specific concerns of those populations, as well as the FTC’s enforcement actions regarding the FDCPA.