

# Social Media Compliance Checklist

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## ABOUT THE CHECKLIST

According to the Federal Financial Institutions Examination Council (FFIEC) [Social Media: Consumer Compliance Risk Management Guidance](#), “compliance and legal risk arise from the potential for violations of, or nonconformance with, laws, rules, regulations, prescribed practices, internal policies and procedures, or ethical standards.” Use this checklist to verify social media practices meet legal and regulatory requirements.

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### CAN-SPAM ACT AND TCPA

**Could your use of social media be considered an unsolicited communication?** If so, the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CAN-SPAM Act) and Telephone Consumer Protection Act (TCPA) may apply.

### COPPA

**Does your use of social media advertise to and/or collect, use, or disclose personal information from children under the age of 13?** If so, the Children’s Online Privacy Protection Act (COPPA) may apply.

### DEPOSIT / SHARE INSURANCE

**Does your use of social media advertise FDIC-insured products?** If so, the advertisement must include the official advertising statement of FDIC membership, usually worded, “Member FDIC.”

### ECOA (REGULATION B)

**Does your use of social media discourage applicants or prospective applicants from making or pursuing an application?** If so, it may be in violation of the Equal Credit Opportunity Act (ECOA).

### FCRA (REGULATION V)

**Does your use of social media make solicitations using eligibility information, respond to direct disputes, or collect medical information in connection with loan eligibility?** If so, the Fair Credit Reporting Act (FCRA) may apply.

**FDCPA (REGULATION F)**

**Does your use of social media disclose the existence of a debt, harass or embarrass a consumer about their debts, or make false or misleading representations?** If so, it may be in violation of the Fair Debt Collection Practices Act (FDCPA).

**FHA**

**Does your use of social media make statements that indicate a limitation or preference based on race, color, national origin, religion, sex, familial status, or handicap?** If so, it may be in violation of the Fair Housing Act (FHA).

**GLBA / PRIVACY**

**Does your use of social media compromise the personally identifiable information of a client?** If so, it may be in violation of the Gramm-Leach-Bliley Act (GLBA) or other privacy regulations.

**TILA (REGULATION Z)**

**Does your use of social media state specific credit terms?** If so, it must also state or make reference to a page that states only those terms that actually are or will be arranged or offered by the creditor, according to the Truth in Lending Act (TILA).

**TISA (REGULATION DD)**

**Does your use of social media display a triggering term, such as “bonus” or “APY?”** If so, the Truth in Savings Act (TISA) requires the advertisement to clearly state certain information, such as the minimum balance required to obtain the advertised APY or bonus.

**UDAAP (REGULATION AA)**

**Does your use of social media contain information that be considered “unfair,” “deceptive,” or “abusive?”** If so, it may be in violation of the Unfair, Deceptive, or Abusive Acts or Practices (UDAAP) Act.