

Can the U.S. government's Login.gov be adapted for the private sector?

The Beeck Center conducted extensive research on the federal digital identity verification platform Login.gov for its applicability to state and local governments (read our report). As part of that process, the Beeck Center also explored the potential for [Login.gov](#) to be used by the private sector for digital identity verification.

While that application is not currently possible, in this report we describe the history and circumstances of Login.gov's creation, interviewing officials at the U.S. General Services Administration who created and currently manage Login.gov, interviewing software cooperatives that serve as data sources to Login.gov, and reviewing publicly available documentation about Login.gov's data sources.

This project was supported by Flourish Ventures and builds on a larger body of work exploring state software collaboratives as means to better share common code for state government service delivery.

What is Login.gov?

Login.gov is a [secure sign-in service](#) used by the public to sign in to participating U.S. government agencies to receive services and access your information. Participating agencies will ask you to create a Login.gov account to securely access your information on their website or application.

You can use the same username and password to access any agency that partners with Login.gov. This streamlines your process and eliminates the need to remember multiple usernames and passwords.

Login.gov is used to secure your account when you apply for

- Federal jobs (USAJOBS - Office of Personnel Management)
- TSA PreCheck and Global Entry (Trusted Traveler Programs - Department of Homeland Security)
- Small business loans and disaster assistance (Small Business Administration)
- Login.gov was created and is currently maintained by the U.S. General Services Administration (GSA).

Can a business currently become a customer of Login.gov?

Currently, Login.gov is only accessible for federal, state, or local government agencies.

Could Login.gov be made available to business customers in the future?

Under its current authorizations and construction, Login.gov is only allowed to provide services to federal, state, and local governments. While Login.gov is operated and maintained by GSA, the White House Office of Management and Budget (OMB) oversees the practice of federal agencies providing specialized or technical services outside the federal government.

The governing authority relevant here is [Circular A-97](#), which provides “rules and regulations permitting Federal agencies to provide specialized or technical services to State and local units of government.” A-97 provides no authority permitting agencies to provide technical services to businesses, and there is no evidence of any other circular or memo that would allow it. OMB’s authority to permit the existing business model for Login.gov is derived from Title III of the Intergovernmental Cooperation Act of 1968. For OMB to permit Login.gov to be available to business customers, they would need enabling legislation. Our research did not uncover any draft enabling legislation, nor an intention to craft such legislation.

Could Congress make Login.gov available to business customers?

Yes, Congress could pass a law that would allow OMB to publish a circular or a memo that would allow GSA to sell Login.gov services to business customers.

What are the obstacles to legislation that would make Login.gov available to business customers?

Setting aside the customary obstacles to passing legislation, one particular obstacle our research uncovered is that private industry would be loath to permit government to compete with them. There are dozens of vendors in the identity-verification space, including every major credit agency, and although they all ultimately are able to verify people’s identities via government data, the experts we interviewed signaled that none of the industry groups would want government providing verification services outside of government. There was consensus that industry would lobby hard against any such legislation.

If legislation passed, would that be sufficient for Login.gov to be used by businesses?

Not necessarily. Login.gov uses an ever-increasing array of data sources to verify identities, and some of those data sources come with restrictions about what they can be used for.

For example, a key part of identity verification is first determining whether the claimed identity is even a real person. This is done using state birth and death records. Although the Social Security Administration maintains a “Master Death File,” [it hasn’t been complete since 2011](#), due to reuse restrictions imposed by some states. The [only complete source](#) of birth and death records comes from the National Association of Public Health Statistics and Information Systems (NAPHSIS), which runs a complex real-time interface to every state’s birth and death records. Users of those NAPHSIS APIs must agree to comply with all states’ restrictions, and there is significant variation between different states’ restrictions. Only 28 states & territories, of 56 in total, [permit private-sector use of this data](#), and that use is generally limited to the finance, healthcare, and insurance sectors.

Login.gov’s data sources are not currently publicly cataloged, and the list of those sources changes regularly. Additionally, insofar as Login.gov relies on data sources that are not licensed for use in the private sector, Login.gov cannot be used by the private sector.

Could the other half of states and territories agree to let businesses use their data?

Yes, in theory, legislation could be introduced into each of those states and territories, compelling them to share those records with businesses. That said, there are complex reasons why states do not share these records, some rooted in court decisions that no legislation can overturn, others in licensing restrictions that start at the municipal level. It is quite possible that it is outside of the reasonable power of those 28 states and territories to permit the reuse of that data in the private sector.

Conclusion

The federal identity verification platform Login.gov is currently only available for state and local governments to use, and is not available for private sector companies. In order for Login.gov to become available for private business, Congress would have to pass enabling legislation and Login.gov’s data sources may need to be modified. There is also not currently a known interest by either the federal government, Congress, or private industry to prioritize this activity.