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Lamar Smith's plan to require employers to use E-Verify system faces criticism from anti-government conservatives

Rep. Lamar Smith has proposed legislation that would require all employers to check the immigration status of new hires — but what he paints as common sense legislation has met with strife from some on the right.

“Congress tends to want to sprinkle technology onto economic and social problems and think that that will make them go away,” said Jim Harper, director of information policy studies at the libertarian Cato Institute.

Conservatives gathered in Washington for a conference yesterday said Smith's proposal would lead to a more intrusive federal government and would not solve the underlying problem of a broken immigration system. Harper said that the E-Verify program Smith's legislation would mandate might lead to better and more intricate attempts at identity fraud.

But Smith, R-San Antonio, who introduced the bill to the House June 14, says the bill could help Americans gain jobs, since the program would prevent undocumented workers, 7 million of whom are currently employed in the United States, from obtaining jobs.

“There is no other legislation that can be enacted that will create more jobs for American workers,” Smith said in a press release.

The E-Verify system is a federal database that checks an individual's citizenship status using biometric data. The program is 99.5 percent accurate, according the the Center for Immigration Studies.



Smith's legislation, the Legal Workforce Act, would require large companies to begin using the system within six months, small companies within the year and agricultural businesses within the next three years.

“Rather than address a particular problem... what they decide to do is set up a very, very expensive national database and require all employers, employees, and potential employees to register with the government,” said former Bob Barr, a former Republican representative from Georgia.

“The core GOP values are supposed to be about free markets and limited government,” said Alex Nowrasteh, a policy analyst with Competitive Enterprise, a non-profit public policy organization focused on free enterprise and limited



Lamar Smith has proposed legislation that would mandate the use of E-Verify, a citizenship verification database, for businesses within six months to three years.

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government that sponsored the call-in briefing.

“Regulations are really a great, violent predator in American businesses,” he said.

Despite the controversy, the U.S. Chamber of Commerce, National Restaurant Association, National Association of Home Builders and Associated Builders and Contractors join other groups in supporting the bill.

By contrast, agricultural lobbies strongly oppose the measure, saying it will cripple their workforce.

“It’s still an eventual death knell in terms of what workers they will have available,” said Stuart Anderson, the executive director of the National Foundation for American Policy.

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