

I-9 Survival Tips

How and why to audit yourself before ICE does



There are
300+
potential errors
on a form I-9¹



An estimated
60%-80%
of paper I-9s are
missing, incomplete
or have errors.²



Civil Monetary
Penalty amounts are
at an all-time high.³



1. According to Equifax analysis, 2020.

2. According to an industry attorney at Jackson Lewis P.C., 2016.

3. Civil Monetary Penalty adjustments for inflation. (2025, January 2). Federal Register.
<https://www.federalregister.gov/documents/2025/01/02/2024-31204/civil-monetary-penalty-adjustments-for-inflation>

WHY SHOULD YOU AUDIT?



Being proactive helps.

According to the Form I-9 Inspection Overview, U.S. Immigration and Customs Enforcement (ICE) considers five factors when determining penalty amounts, including whether there was a good faith effort to comply. Performing an internal I-9 audit to find mistakes and make corrections can help show your progress toward compliance, which may be considered “good faith” during an I-9 audit.



Help avoid surprises, start auditing now.

ICE can give as few as three days of notice before an inspection. That’s often not enough time to have all your documents in order. Start correcting issues from an internal audit, and you could help reduce your exposure.



What should you audit?

If this is your first internal audit, you'll want to review all of your I-9s. It may feel overwhelming, but there are proper steps to follow that will help. The Department of Homeland Security and Department of Justice have issued a document that can help guide you. View the [entire document here](#).





The team at Equifax has experience with I-9 reviews and remediation. After helping with millions of I-9 reviews, here are a few important points we think are most helpful:



Start by gathering.

Collect all Forms I-9, including paper and electronic. You need to know where they are, how many there are, and what format they are in so you can begin your audit.



Figure out what's missing.

Compile a list of all employees dating back to November 1986 (when the Immigration Reform and Control Act began). Make sure there is a Form I-9 on file for all current employees.



Purge the paper, reduce the risk.

During an official audit, you are responsible for errors on any forms in your possession — even forms that have already met retention requirements. During your review, weed out forms you no longer need to keep or store.

Once a person's employment has been terminated, you must keep their Form I-9 on file for three years after the date of hire OR one year after the date employment is terminated, whichever is later.

WHAT SHOULD YOU AUDIT?



Focus on the current I-9s.

United States Citizenship and Immigration Services (USCIS) has identified many mistakes that are commonly made when completing Form I-9.

A few common errors include: missing a maiden name, a signature, citizenship status, or date of hire.



Make corrections in accordance with USCIS guidance.

USCIS provides instructions for correcting [Form I-9 via I-9 Central](#).

Additionally, USCIS and the Office of Special Counsel for Immigration-Related Unfair Employment Practices have provided joint guidance to help employers perform internal audits via [Guidance for Employers Conducting Internal Employment Eligibility Verification Form I-9 Audits](#).



A few other tips to help you get started

- Employees can make corrections to Section 1.
- Employers can make corrections to Sections 2 and 3.
- A detailed audit trail should be maintained to identify what changes were made.
- Employers should pay particular attention to use the correct version of Form I-9.
- Employers should take specific care to note who is making which corrections.

Who can help with an audit?

Equifax can help you find answers to your I-9 challenges.

With I-9 Inspect® you can review your Forms I-9 to help you detect and prioritize potential issues, help simplify the process for you to make your corrections, and assist you in reducing your organization's overall I-9 risk.

Contact us to learn how we can help get you on the road to better I-9 compliance.

Want even more help? Workforce Solutions from Equifax has the technology to help you simplify each phase of I-9 management. Learn more about our full suite of I-9 services.



workforce.equifax.com