

prior to expiration of the employment authorization.

(e) Upon the denied applicant's request, the INS may grant further employment authorization pursuant to 8 CFR 274a.12(c)(12).

[55 FR 30680, July 27, 1990, as amended at 58 FR 12148, Mar. 3, 1993; 59 FR 62299, Dec. 5, 1994; 60 FR 21974, 21975, May 4, 1995; 60 FR 34090, June 30, 1995]

§208.8 Limitations on travel outside the United States.

An applicant who leaves the United States pursuant to advance parole granted under 8 CFR 212.5(e) shall be presumed to have abandoned his application under this section if he returns to the country of claimed persecution unless the applicant is able to establish compelling reasons for such return.

[59 FR 62299, Dec. 5, 1994]

§208.9 Interview and procedure.

(a) For each application for asylum or withholding of deportation that is complete within the meaning of §208.3(c)(5) and that is within the jurisdiction of the Office of Refugees, Asylum, and Parole, an interview shall be conducted by an asylum officer, either at the time of the application or at a later date to be determined by the Asylum Office. Applications within the jurisdiction of an immigration judge are to be adjudicated under the rules of procedure established by the Executive Office for Immigration Review in parts 3, 236, and 242 of this chapter.

(b) The asylum officer shall conduct the interview in a nonadversarial manner and, at the request of the applicant, separate and apart from the general public. The purpose of the interview shall be to elicit all relevant and useful information bearing on the applicant's eligibility for the form of relief sought. At the time of the interview, the applicant must provide complete information regarding his or her identity, including name, date and place of birth, and nationality, and may be required to register this identity electronically or through any other means designated by the Attorney General. The applicant may have counsel or a representative present, may present witnesses, and may sub-

mit affidavits of witnesses and other evidence.

(c) The asylum officer shall have authority to administer oaths, verify the identity of the applicant (including through the use of electronic means), verify the identity of any interpreter, present and receive evidence, and question the applicant and any witnesses.

(d) Upon completion of the interview, the applicant or his representative shall have an opportunity to make a statement or comment on the evidence presented. The asylum officer, in his or her discretion, may limit the length of such statement or comment and may require their submission in writing. Upon completion of the interview, the applicant shall be informed that he or she must appear in person to receive and to acknowledge receipt of the decision of the asylum officer and any other accompanying material at a time and place designated by the asylum officer. An applicant's failure to appear to receive and acknowledge receipt of the decision shall be treated as delay caused by the applicant for purposes of §208.7(a)(3) and shall extend the period within which the applicant may not apply for employment authorization by the number of days until the applicant does appear to receive and acknowledge receipt of the decision or until the applicant appears before an immigration judge in response to the issuance of a charging document under §208.14(b).

(e) The asylum officer shall consider evidence submitted by the applicant together with his or her asylum application, as well as any evidence submitted by the applicant before or at the interview. As a matter of discretion, the asylum officer may grant the applicant a brief extension of time following an interview during which the applicant may submit additional evidence. Any such extension shall extend by equivalent time the periods specified by §208.7 for the filing and adjudication of employment authorization applications.

(f) The application, all supporting information provided by the applicant, any comments submitted by the Department of State, or by the Service, and any other information considered