

5. Where an applicant answers the Statement of Reasons but fails, without good and sufficient cause, to appear at the time and place set for the proceeding, the Examiner shall return the case to the Assistant Secretary of Defense (Administration), or his designee, who will direct the denial or revocation of the clearance, as appropriate, and advise the applicant.

C. Hearing

1. The purpose of a hearing under the Program is to ascertain all the relevant facts in the case in order that a fair and impartial determination may be reached. The rules, including the rules of evidence, governing court proceedings or administrative hearings conducted under the Administrative Procedure Act are not applicable to hearings under this Directive.
2. The hearing will be conducted in an orderly manner. It may be attended only by the Examiner, the applicant and his counsel, authorized personnel of the DoD and necessary clerical personnel. Unless the Examiner rules otherwise, a witness may be present only when testifying. Should the conduct of the applicant or counsel impair the orderly progress of the hearing or should the Examiner's rulings be ignored or flouted deliberately, the Examiner is authorized in his discretion to recess the hearing forthwith. Further proceedings may be held only after satisfactory assurances are made to the Assistant Secretary of Defense (Administration), or his designee, that the rulings of the Examiner will be followed. Otherwise the recess will continue indefinitely, during which time the applicant will be ineligible for a clearance.
3. The Examiner will notify all witnesses testifying that 18 United States Code 1001 makes it a criminal offense punishable by a maximum of five years imprisonment, \$10,000 fine, or both, knowingly and wilfully to make a false statement or