

contests the proposed suspension, the case shall be referred to an Examiner who shall make a final determination following a hearing which shall be governed by the provisions of this Directive to the extent applicable. A determination by the Examiner under this Section shall be final and no further appeal may be taken.

- C. No action taken under this Section shall preclude other actions as provided in this Directive at any stage of the proceedings. Issues under this Section shall be heard in the same proceeding as other issues under this Directive, unless otherwise agreed by the parties.
- D. The Assistant Secretary of Defense (Administration), or his designee, shall order suspensions under this Section which shall become effective immediately.
- E. When the suspension has expired the applicant will be eligible for reinstatement of his clearance upon filing the necessary forms.

X. REIMBURSEMENT FOR LOSS OF EARNINGS

- A. An applicant may be reimbursed for a loss of earnings resulting directly from the suspension, revocation, or denial of his clearance provided (1) a final determination thereafter is made that it is clearly consistent with the national interest to grant him a clearance for access to classified information at least equal to that which was suspended, revoked, or denied, and (2) it is found to be fair and equitable for the Department of Defense to reimburse the applicant for all or a part of the loss of earnings.
- B. It shall be considered fair and equitable, except as hereinafter provided, to reimburse any applicant who has suffered loss of earnings as a result of suspension

IX.C.