

#### DEPARTMENT OF THE AIR FORCE

HEADQUARTERS UNITED STATE AIR FORCE ACADEMY USAF ACADEMY COLORADO

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Colonel Wayne H. Kellenbence Director of Staff 2354 Fairchild Drive, Suite 5A35 USAF Academy CO 80840-6200

Newswithviews News Editor P.O. Box 370 Merlin, Oregon 97532

Dear News Editor

This is in response to your Freedom of Information Act request of 03 January 2005. I have identified 12 pages contained in Mr. Roberto Gonzales' Air Force Academy Records that are responsive to your request. The releasable portions of the records that are responsive to your request are attached. (See Attachment).

I have redacted certain portions of the documents because the content is personal to an individual other than the requestor; therefore, any release would clearly constitute an unwarranted invasion of the individual's personal privacy. The authority for this exemption is in the United States Code, Title 5, Section 552(b)(6) of the Freedom of Information Act.

You may appeal this decision by writing to the Secretary of the Air Force within 60 days of the date of this letter. Include in your appeal your reasons for reconsideration and attach a copy of this letter. Address your letter as follows:

Office of the Secretary of the Air Force Thru: 10 CS/SCSF 4199 Academy Drive USAF Academy CO 80840-4200

Sincerely

WAYNE H. KELLENBENCE, Col, USAF

Attachment: (See next page)

Releasable portions of the records that are responsive to your request:

- 1. Memorandum, Subject: Air Force Academy Cadet Resignation, dated 8 July 1977 (1 page).
- 2. Memorandum for the director of personnel programs, dated 21 June 1977, (1 page).
- 3. Memorandum, Subject: Separation of Cadet Alberto R. Gonzalez, dated 13 June 1977 (1 page).
- 4. AFCW Form 48, Separation Referral, dated 20 May 1977 (2 pages).
- 3. Memorandum, Subject: Tender of Resignation, dated 20 May 1977 (4 pages).
- 5. DD form 785, Record of Disenrollment from Officer Type Training, dated 2 Aug 1977 (1 page).
- 6. Personnel Data Sheet, dated 27 June 1977 (1 Page).
- 7. DD Form 214, dated 2 Aug 1977 (1 page).

#### This totals 12 pages that are attached.

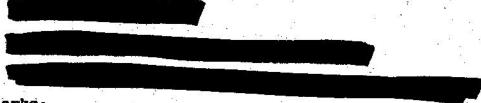
### DEPARTMENT OF THE AIR FORCE HEADQUARTERS UNITED STATES AIR FORCE OEEOSDID NOTENHEAW

ATD OF DPPA

8 JUL 1977

Air Force Academy Cadet - Resignation

- TO USAFA/CWP USAF Academy CO 80840
  - The separation of Cadet Alberto R. Gonzales, has been approved by the Secretary of the Air Force.
  - Separate cade: under Air Force Regulation 53-3. orders prescribed in AFM 10-3, to include the following:
    - X Ceases to be Cadet, USAFA, 2400 hours effective
    - b. X Reason and authority: AF Regulation 53-3, "Disenrollment of United States Air Force Academy Cadets," and this letter.
    - Character of Service.



Remarks:

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FOR THE CHIEF OF STAFF

BILLY J. RHOTEN, Lt Col, USAF Chief, AF Academy Activities Group D/Personnel Programs, DCS/P

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ACTIVITIES SECUP

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### DEPARTMENT OF THE AIR FORCE WASHINGTON, D.C. 20830

DEFICE OF THE SECRETARY



June 21, 1977

MEMORANDIM FOR THE DIRECTOR OF PERSONNEL PROGRAMS
(AF/DPPA)

SUBJECT: Resignation - Air Force Academy Cadet

Upon recommendation of the Air Force Personnel Board, the Secretary of the Air Force accepts the tender of resignation submitted on May 20, 1977 by Cadet Third Class Alberto R. Gonzales, under the provisions of paragraph 16, AFR 53-3, and directs that he be

Colonel USAF I
Deputy Director
SAF Personnel Council

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#### DEPARTMENT OF THE AIR FORCE HEADQUARTERS UNITED STATES AIR FORCE ACADEMY USAF ACADEMY, COLORADO 80840

REPLY TO SUPT

13 JUN 1977



separation of Cadet Alberto R. Gonzales,



Secretary of the Air Force (SAFPC)
Washington, DC 20330

- 1. Recommend acceptance of the attached tender of resignation submitted by Cadet Gonzales due to a change in career goals.
- Cadet Gonzales was an enlisted man in the Regular Air Force at the time of his cadet appointment. As such, he would normally revert back to active duty for completion of his active duty service commitment; however, his initial enlistment will expire on 23 August 1977. Accordingly, redommend Cadet Gonzales from cadet status, revert to enlisted status, and be assigned to the Air Force Reserve, as provided for by paragraph 9a(1), AFR 53-3.
- 3. Cadet Gonzales has been medically cleared for separation by the USAF Academy Flight Surgeon.

Source of appointment: Congressional.

JAMES R. ALLEN, Lt General, USAF 1 Atch Superintendent Tender of Resignation

ACTIVITIES GROUP

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Page 4 og 2 pages

lat Ind.

FROM: AOC, CWDS-13

TO: AOC, CWD- 2

The reasons for this cadet's resignation are as follows:
Cadet Gonzales has had a change in career objectives. Cadet Gonzales
has been in the Air Force almost 4 years, with 2 years enlisted service
and 2 years at the Academy. He now wants to pursue a career in law.
His present plans are to attend Rice University in Texas, to study
Year. After carefully weighing all the advantages of a military
career, he now has decided to pursue another career in the civilian

S of By 1977

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Air Officer Commanding, CWDS-13

2nd Ind.

FROM: AOC, CWD-2

TO: CWD

CW

IN TURN

The reasons for this cadet's resignation are as follows: Cadet Gonzales, after careful deliberation, feels that his talents are better suited for a career in law. He now plans to enroll in Rice University and study Political Science and Law.

Group Air Officer Commanding, CWD2

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## DEPARTMENT OF THE AIR FORCE THE AIR FORCE CAPET WING

USAF ACADEMY, COLORADO 80840

CWDS-13/4758

8 0 MAY 1977



render of Resignation

### Commandant of Cadets

**经验**人的标识点。

- Under the provisions of paragraph 16, AFR 53-3, I voluntarily tender my resignation as a cadet appointed to the United States Air Force Academy.
- I understand fully the following legal provisions and

## a. <u>legal Provisions</u>

- (1) A cadet who is a US citizen and who enters the United States Air Force Academy directly from civilian status assumes a military service obligation of 6 years (10 U.S.C. 651).
  - (2) A cadet who fails to fulfill the agreement to complete the course of instruction and accept a commission may be transferred to the Air Force Reserve in an appropriate enlisted grade and ordered to active duty for a period of time not to exceed 4 years (10 U.S.C. 9348b).
- cr Reserve component of any of the US armed forces and who is disenrolled before graduation reverts to his/her former status for the completion of any prior service obligation (10 U.S.C. 516). However, completion or partial completion of any prior service obligation in no way exempts a separated condeted from being transferred to a Reserve component and ordered to active duty under 10 U.S.C. 9348b.

### b. General Policy

- (1) The submission of a resignation by a cadet is at the discretion of the Superintendent.
- (2) A cadet's resignation is accepted if deemed to be in the best interest of the service.
- (3) A cadet who tenders a resignation is required to state a specific reason for this action. However, before

disenrollment, the Academy Superintendent determines if the case should be in the category of demonstrated misconduct or unsuitability for military service.

(4) A cadet who is disenvolled because of demonstrated unsuitability for military service is discharged in accordance with procedures in AFR 36-12 for officers on active duty with the United States Air Force; a cadet who is disenvolled for physical disqualification is discharged in accordance with procedures in AFM 35-4.

## c. Specify Policy for Nonprior Service Cadets Who are Disenrofied Before Beginning the Second Class Academic

If a cadet in this category is disenrolled, he/she is discharged. If appropriate, the local Selective Service System Egard is notified of the cadet's disenrollment through use of DD Form 44, Record of Military Status of Registrant. Indicade in Item 12, Remarks, is the statement, "cadet is eligible for service under appropriate Selective Service Directives. Cadet has no prior active military service."

# d. Specific Policy for Nonprior Service Cadets Who are Disenvolled After Beginning the Second Class Academic Year

If a cadet in this category is disenselled for other than physical disqualifications and the active duty provision has not been waived, he/she is administered the Airman Classification Test (ACT). He/she may then be awarded an AFS at the one level, receive either a directed duty assignment (DDA) to an operational squadron or an assignment to a technical training school, be transferred to the Air Force Reserve in an enlisted status and ordered to active duty for a minimum of two years. Orders are published by the United States Air Force Academy.

### e. Nonwillful Separations

When separation occurs as a result of deficiencies which are not considered willful, the active duty provisions may be waived by the Secretary of the Air Force.

### f. Specific Policy for Prior Service Cadets

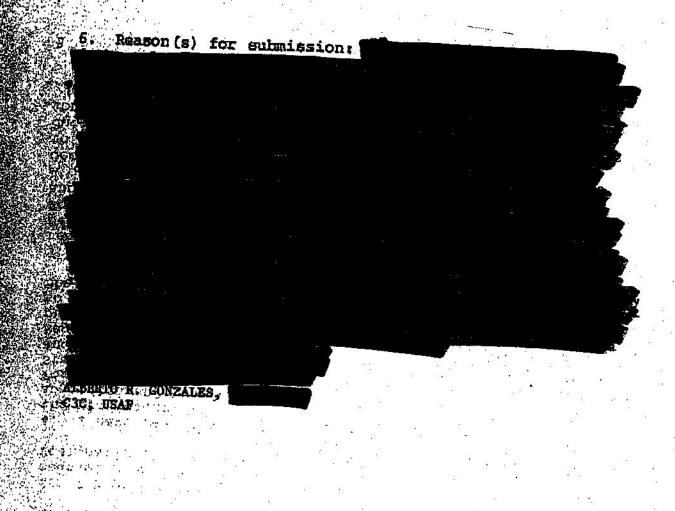
A cadet who was a member of a Regular or Reserve component of the armed forces of the United States on entry into the Academy, and who is separated before beginning the Second Class academic year, reverts to his/her former status for

the completion of any prior service obligation. (Exception: If his/her initial enlistment has expired (or is within 180 days of expiration), he/she is reassigned to the Reserve he/she served in an enlisted status. A cadet in this category who has begun the Second Class academic year is processed in accordance with the procedures specified for nonprior service cadets. (If the prior service was not with the separate the cadet from his/her former status so that he/she for nonprior service service cadets. If such separation is denied, prior service obligation.)

## g. Failure to Accept a Commission.

Any First Classman who completes the course of instruction and declines to accept an appointment as a commissioned officer is transferred to the Air Force Reserve in an enlisted status, processed in accordance with procedures outlined above, and ordered to active duty for 4 years.

- 3. I have been afforded the opportunity of consulting legal counsel regarding the advisability of submitting this resignation.
- 4. I have been advised that if this resignation is accepted, the provisions of Title 10, US Code 8287c, prohibit my being appointed and commissioned an officer of the Regular Air Force prior to the date on which my classmates at the United States Air Force Adademy are graduated and appointed officers, and that upon appointment as a commissioned officer of the Regular Air Force, I shall not be credited with a period of promotion list service greater than the service credited to any member of my class at the Academy whose service in the Air Force has been continuous since graduation.
- 5. If my resignation is accepted, I understand that I may request to be placed on leave without pay and allowances pending a final decision by the Secretary of the Air Force. Acceptance of the cadet's request for leave without pay and allowance is at the discretion of the Superintendent. A cadet who elects to remain at the Academy pending a final decision by the Secretary of th Air Force will be attached to the USAFA Headquarters Squadron Section and perform duties as directed by the Headquarters Squadron Section Commander.



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