

THE RAMIFICATIONS OF GOMORS AND LETTERS OF REPRIMAND

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With the Army's increasing focus on downsizing the force, it is now more important than ever to keep a squeaky-clean record. When a General Officer Memorandum of Reprimand (GOMOR) or letter of reprimand (LOR) crosses your path it is important to know the consequences of these administrative actions as well as your options.

A LOR is an administrative censure or "chewing out" given to a soldier for failure to comply with established standards. A GOMOR is an LOR by a general officer or officer with general courts-martial jurisdiction concerning a soldier under his or her chain of command.

Though considered administrative, LORs and GOMORs can have serious consequences for those wishing to pursue a career in the Army. Aside from the negative stigma associated with them, an LOR may be filed in a soldier's Military Personnel Records Jacket (i.e. MPRJ, or "local file") by the soldier's immediate commander or above, any general officer senior to the soldier, or an officer exercising general court-martial jurisdiction over the soldier. School commandants may also file reprimands in an enlisted soldier's MPRJ. Any member of an officer's rating chain may also file a reprimand in the MPRJ. IAW AR 600-37 para. 3-4, reprimands filed in the MPRJ will be removed after three years or the recipient's transfer to another general court martial jurisdiction. LORs in an MPRJ can be seen by the soldier's chain of command, but not by a promotion board. An LOR cannot be formally appealed if in the MPRJ, but the issuing authority has discretion to remove it.

If the offense is serious, a commander may choose to push the LOR up the chain of command. If a general officer decides to issue his or her own LOR it becomes a GOMOR. Regardless of the issuing authority, the general officer may, at his or her discretion, file an LOR/GOMOR in either the soldier's MPRJ or Official Military Personnel File (OMPF). If filed in the OMPF, it will be filed in the performance portion (P-fiche) and can be seen by HRC and promotion boards. It will stay there throughout the soldier's career unless it is appealed for removal or transferred to the restricted portion of the OMPF (R-fiche), where only select people can view it. Once a GOMOR/LOR is filed in a soldier's OMPF, it is presumed to be administratively correct.

Once a reprimand has been filed in the OMPF, a soldier may appeal to the Department of the Army Suitability Evaluation Board (DASEB) for removal. However, the burden of proof rests with the soldier to provide evidence of a clear and convincing nature that the allegations are untrue or unjust, in whole or in part, thereby warranting removal. Appeals that merely allege an injustice or error without supporting evidence are not acceptable and will not be considered.

An alternate route is to appeal for a transfer of the GOMOR/LOR to the restricted fiche. Such appeals may be made on the basis of proof that their intended purpose has been served and

that their transfer would be in the best interest of the Army. As with removal, the burden of proof rests with the soldier. Soldiers must wait at least one year from the date of filing before requesting a transfer and must have received at least one OER or NCOER during that time.

Appeals are normally restricted to grades E6 and above, officers, and warrant officers. For soldiers in grades below E6, an appeal will only be considered as an exception to policy.

If you receive an LOR, you should immediately contact your legal assistance office to schedule an appointment with legal assistance attorney. The XVIII Airborne Corps and Fort Bragg Legal Assistance Office can be reached at 910-396-0396 or 6113. The office is located on the first floor of the soldier support center in Wing D. The Legal Assistance Office is open Monday, Tuesday, and Friday from 0900-1630, on Wednesday from 1300-1630, and on Thursday from 0730-1630. For more information please visit our website at <http://www.bragg.army.mil/DIRECTORATES/OSJA/Pages/LegalAssistance.aspx>.