



GOMOR (General Officer Memorandum of Reprimand)



What Is a General Officer Memorandum of Reprimand?

A General Officer Memorandum (or letter) of Reprimand (GOMOR) is a memorandum written to a soldier by a General Officer reprimanding the soldier for bad behavior. It's essentially a chewing out by a General.

The significance of a GOMOR is that it can become part of one of your military files. It can be filed "locally", which means in your Military Personnel Record Jacket (MPRJ), or in your "permanent" file, which means in your Official Military Personnel File (OMPF). A GOMOR filed locally will be removed eventually (usually when you PCS). A GOMOR filed in your permanent file will very likely stay there forever.

Why Do I Need to Worry About One?

A GOMOR placed in a soldier's permanent file will be seen by practically everyone (i.e. promotion boards). This can severely damage the soldier's chances of promotion, re-enlistment, and the like.

What Happens If I Get One?

You have seven (7) days to file a "rebuttal", a response to whatever was stated in the GOMOR. This is a written statement that can deny, rebut, explain, or mitigate the GOMOR.

Normally your statement should **address the underlying facts** (whether you choose to deny, explain mitigating circumstances, or admit your actions and ask for a second chance), and argue for a particular filing determination (local or permanent). If the GOMOR is filed, your statement will be attached.

Virtually anything may be attached to support your rebuttal. If you have witnesses to certain events, list their name and unit as fully as possible when they are mentioned, and obtain separate written statements (preferably sworn statements) from them. Also consider enclosing copies of favorable ratings, letters attesting to your character, and awards received. The legal assistance attorney will assist you in editing and refining your statement. After the final statement is complete, turn it into the officer who initiated the GOMOR in a sealed envelope or folder. Also make sure you keep a copy for yourself. If you cannot make the suspense (7 days), then ask the LAA to request an extension on your behalf.

How Can Legal Assistance Help?

Your local Legal Assistance Attorney can explain the law of a GOMOR and help you compose your rebuttal. To help the attorney understand what has occurred, write out a complete description of the events prior to your appointment. Make sure you write legibly and bring the draft with you to your appointment.

A Letter of Reprimand Has Been Filed Locally in my MPRJ. Can I Appeal?

No formal process exists for removing a GOMOR from your MPRJ. However, at any time you may request its removal by the commander who ordered the filing. Your appeal should be in memorandum format, and should include any supporting documentation.

A Letter of Reprimand Has Been Filed Permanently in My OMPF. Is There Anything I Can Do to Get it Removed?

There is a procedure described in AR 600-37, Chapter 7, for asking the Department of the Army Suitability and Evaluation Board (DASEB) to remove the GOMOR from your OMPF. This is difficult and unlikely to succeed, so talk to a legal assistance attorney before pursuing it.

How Do I Request Removal?

Once a LOR is filed in your OMPF, it is presumed to be administratively correct. Thereafter, the burden of proof rests with you 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.

Appeals are normally restricted to grades E-6 and above, officers, and warrant officers. For soldiers in grades below E-6, an appeal will only be considered as an exception to policy.

Appeals should be in military memorandum format and accompanied by relevant, substantive evidence. Appeals should be sent directly to the President, DA, Suitability Evaluation Board, HQDA (DAPE-MPC-E), Washington, DC, 20310-0300.

How Do I Get My GOMOR Transferred From My Permanent to My Local File

Some Soldiers can request that a GOMOR be transferred from the Performance Fiche of the OMPF to the Restricted Fiche. Such requests 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. The burden of proof rests with the soldier.

Appeals are normally restricted to grades E-6 and above, officers, and warrant officers. Appeals for transfers may only be made if at least 1 year has elapsed since imposition of the letter and at least one evaluation report, other than academic, has been received in the meantime.

Appeals should be in military memorandum format and accompanied by relevant, substantive evidence. Appeals should be sent directly to the President, DA, Suitability Evaluation Board, HQDA (DAPE-MPC-E), Washington, DC, 20310-0300.

GOMOR Alteration from Commander

The officer who directed the filing in the OMPF may request its removal. That request and/or justification must be provided to the DASEB in sufficient detail. An officer who directed the OMPF filing may not, however, request a transfer of the GOMOR. The officer may, however, submit a letter of support with the DASEB filing.

Where Can I Get More Help?

If you receive a GOMOR, you should immediately go to your legal assistance office to see an attorney. Bring sworn statements from witnesses, a draft of your response, and the GOMOR you received. We will look everything over and discuss your options with you.

	<u>Camp Casey Legal</u> Maude Hall Rm. 235, 730-3660	
<i>This information paper is one of a series of informative handouts containing general information on topics that legal assistance attorneys frequently advise on. Information provided is general in nature and does not constitute legal advice. Consult an attorney for specific legal advice for your particular situation. This information paper is distributed to persons eligible for legal assistance under 10 USC 1044.</i>		