

Department of the Army
United States Military Academy
West Point, New York 10996-5000
1 March 2001

*USMA REG 215-1

1 March 2001

Morale, Welfare and Recreation

Alcoholic Beverages

MAPA

FOR THE SUPERINTENDENT:

OFFICIAL:
GRANT M. SMITH
COL, EN
Chief of Staff

/ original signed /
J.M.S. Beckman
LTC, AG
Adjutant General

DISTRIBUTION:
Electronic

Summary: This regulation covers policies and procedures for the use, control and sale of alcoholic beverages at West Point.

Applicability: This regulation applies to all Department of Defense personnel, military, family members and civilians (including those employed by non appropriated fund instrumentalities) who serve, work or live on West Point.

Changes: This regulation incorporates Change 1, dated 28 Sep 98. The changes are minor and include deletion of references to Stewart Army Subpost (STAS) and locations where alcohol is served at USMA that are no longer covered by this regulation.

***This regulation supersedes USMA Policy Memorandum No. 20-92, 15 September 1992**

Table of Contents

Chapter 1, Introduction

- 1-1. Purpose; Page 1
- 1-2. References; Page 1
- 1-3. Explanation of Abbreviations and Terms; Page 1

Chapter 2, Overview

- 2-1. Policy; Page 1
- 2-2. Prohibited Activities; Page 1
- 2-3. Locations Where Alcoholic Beverages May Not Be Consumed; Page 2
- 2-4. Responsibilities for Alcohol Beverage Control; Page 3
- 2-5. Consumption and Purchase of Alcoholic Beverages on West Point Military Reservation; Page 3
- 2-6. Alcohol De-glamorization Program; Page 4
- 2-7. Mandatory Referral to the Alcohol and Drug Abuse Prevention and Control Program; 2-7, Page 4

Appendix A - Glossary, pages 5 and 6

Chapter 1

Introduction

1-1. Purpose

This regulation covers policies and procedures for the use, control and sale of alcoholic beverages at West Point.

1-2. References

- a. USMA REG 55-3, Transportation and Travel, HARBORCRAFT.
- b. AR 95-1, Army Aviation Flight Regulation.
- c. AR 40-8, Temporary Flying Restrictions Due to Extenuous Factors.
- d. AR 190-5, Motor Vehicle Traffic Supervision.
- e. AR 215-1, Nonappropriated Fund Instrumentalities and Morale, Welfare and Recreation Activities.
- f. AR 210-3, Nonstandard Activities of the United States Military Academy and West Point Military Reservation.
- g. AR 600-85, Alcohol and Drug Abuse Prevention and Control Program.
- h. Regulations USMA
- i. Uniformed Code of Military Justice

1-3. Explanation of Abbreviations and Terms

Abbreviations and special terms used in this regulation are explained in the glossary.

Chapter 2

Overview

2-1. Policy

a. Commanders and civilian supervisors will de-glamorize the use of alcoholic beverages. De-glamorization includes setting the example of responsible use of alcohol, prohibiting activities which involve the ingestion of large amounts of alcohol or whose main purpose is the consumption of alcohol, avoiding advertising which portrays the consumption of alcohol in a favorable manner, counseling personnel on abuse of alcohol, and ensuring that non-alcoholic beverages are also served when alcoholic beverages are being served at a place under their jurisdiction.

b. Personnel subject to the Uniform Code of Military Justice (UCMJ) who fail to comply with the requirements of this regulation are subject to punishment under the UCMJ, as well as to adverse administrative action and other adverse action authorized by applicable United States Code sections or Federal regulations. Personnel not subject to the UCMJ who fail to comply with the provisions of this regulation are subject to adverse administrative action or criminal prosecution as authorized by applicable sections of federal law or New York law as assimilated.

c. Cadet standards of conduct and punishments for infractions are governed by Regulations USMA.

2-2. Prohibited Activities

a. Age restrictions:

(1) The minimum age for purchasing, consuming and possessing alcoholic beverages (beer, wine and distilled spirits) on this installation is 21 years of age.

(2) No person under the age of 18 years will be employed to dispense (bartending staff) or to serve (wait staff) alcoholic beverages.

b. Military personnel are prohibited from:

(1) Consuming alcoholic beverages while in a duty status to include mealtimes during such duty. This prohibition includes the consumption of alcoholic beverages during duty hours at luncheons or meetings on or off the installation. On duty status is determined by the commander and is not necessarily related to uniform wear or the normal duty hours of an installation. Individuals are responsible for compliance as there is no easily obtainable proof of duty status available to serving personnel.

(2) Being impaired in their performance while on duty due to the consumption of alcohol. To be in violation of this provision, military members must have known (or reasonably should have known) prior to becoming impaired in their performance, due to the consumption of alcohol, that they would be on

duty. Having a blood alcohol level of 50 milligrams of alcohol per 100 milliliters of blood (0.05% Blood Alcohol Content [BAC]) or above is conclusive evidence of impairment in performance due to the consumption of alcohol while on duty. However, persons may still be impaired in their performance while on duty due to the consumption of alcohol despite having a BAC of less than 0.05%.

(3) Possessing or consuming alcoholic beverages while on any training or field exercise.

(4) Consuming alcoholic beverages as an operator or passenger in a military vehicle on or off the installation, or a privately owned vehicle on the installation. This prohibition applies whether the vehicle is moving or stationary.

(5) Consuming alcoholic beverages on any road, street, alley, parking lot, or other roadway, or outside any building except in areas designated for consumption of alcoholic beverages. EXCEPTION: Special on-post events sanctioned by the Superintendent, e.g. Tailgate parties.

(6) Purchasing for or giving alcoholic beverages to any person under 21 years of age.

(7) Wearing of any uniform in an off-post establishment, except a restaurant or 'convenience stop', which sells alcoholic beverages for consumption on the premises.

c. Department of the Army and Nonappropriated Fund civilian employees are prohibited from:

(1) Drinking alcoholic beverages while on duty. Civilian employees on their lunch periods are not considered on duty.

(2) Reporting for duty with sufficient alcohol in their system to interfere with the proper performance of duty; to be a menace to safety; or otherwise to be prejudicial to the maintenance of discipline.

(3) Consuming alcoholic beverages while in a duty status on any road, street, alley, parking lot, or other roadway or outside any building on this installation.

(4) Consuming alcoholic beverages as an operator or passenger in a military vehicle on or off the installation, or a privately owned vehicle on the installation. This prohibition applies whether the vehicle is moving or stationary.

2-3. Locations Where Alcoholic Beverages May Not Be Consumed:

a. Alcoholic beverages will not be consumed on West Point, on or at the following locations:

(1) Offices or designated work areas.

(2) On any road, street, alley, parking lot or other roadways, or outside of buildings.

(3) In or on vehicles, by the operator or passengers. (The exception to passenger consumption is addressed in reference a., HARBORCRAFT.) This includes privately owned vehicles while on the installation and government owned vehicles regardless of the location and whether the vehicle is moving or stationary.

(4) Confinement facilities.

(5) Dependent youth services facilities and youth services sporting events.

(6) Skill development facilities, arts and crafts.

(7) Libraries.

(8) Post gymnasiums and stadiums.

(9) Troop dining facilities except that wine or malt beverages may be served as part of the holiday meal on Thanksgiving, Christmas and New Years Day.

(10) The Garrison Commander may define other areas on a case-by-case basis.

b. EXCEPTIONS:

(1) Parking lots or other roadways or outside buildings when said areas have been officially designated for Sanctioned Special - Events e.g., TAILGATE parties, to include the parked vehicle(s).

(2) Yards of private government quarters.

(3) Barracks areas, where authorized by the Commander.

(4) Privately owned vessels at South Dock.

2-4. Responsibilities for Alcohol Beverage Control

a. Commanders at battalion and separate company level:

(1) Will determine the amount and type of alcoholic beverages that may be in an individual's possession in barracks.

(2) Will approve all unit social functions held in the battalion or separate unit areas.

(3) May authorize consumption of beverage alcohol outside their battalion/company barracks, in those areas controlled by or under the responsibility of the given commander.

(4) Will address these provisions in a written policy and will post same.

b. Unit commanders must go through their military chain of command to the Garrison Commander for permission to use unit fund monies to purchase alcoholic beverages. Requests for exception must be made in writing. Alcoholic beverages may be served during duty hours with specific written permission of the Garrison Commander.

c. Units, activities, and groups desiring to hold special functions on the installation which are not to be held in the unit area, Government Quarters, Post Clubs, DCA FB&E facilities, AOG/Herbert Hall, or authorized Morale Welfare and Recreation (MWR) facilities and at which alcohol will be served must obtain authorization, in writing, from the Garrison Commander through the Director, Community and Family Activities (DCFA), ATTN: MAPA. This request will include the date and reason for the event, location, and who will maintain discipline among participants.

d. Military personnel and civilian employees will attend training on alcohol and drug abuse prevention. Education requirements are defined in AR 600-85, Alcohol and Drug Abuse Prevention and Control Program (ADAPCP).

e. All employees involved in selling/serving alcohol will receive training within 30 days of hire/assignment and then at least annually on subjects such as effects of alcohol, how to recognize the signs of intoxication and what to do when a person becomes intoxicated. The Alcohol Sellers Intervention Program (ASIP) will be used to accomplish this training, IAW AR 215-1, para 7-14d.

2-5. Consumption and Purchase of Alcoholic Beverages on West Point Military Reservation.

Specific categories of alcoholic beverages may be consumed or purchased, unless prohibited in para 2-3, as follows:

a. Malt beverages, wine coolers, and other alcoholic beverages with an alcohol content of less than 7 percent, by the drink, at:

- (1) FB&E activities operated at the West Point Club;
- (2) Other MWR food-related operations such as those located at the West Point bowling facilities;
- (3) DCA restaurant and theater FB&E activities and facilities, as authorized by the Superintendent.

b. Malt beverages, wine coolers, and other alcoholic beverages with an alcohol content of less than 7 percent, by packaged sale/purchase, at:

- (1) Military clubs and other authorized MWR activities in accordance with AR 215-1 para 7-9a(2);
- (2) Package Beverage Stores (Class Six); and
- (3) Other AAFES outlets, as approved by the Garrison Commander;

c. Distilled spirits, wine, and other alcoholic beverages with an alcohol content of 7 percent or more, by the drink, at:

- (1) FB&E activities operated at the West Point Club;
- (2) DCA restaurant and theater FB&E activities and facilities as approved by the Superintendent;

d. Distilled spirits, wine, and other alcoholic beverages with an alcohol content of 7 percent or more, by the package, at:

- (1) Package Beverage Stores (Class Six);
- (2) The USMA AAFES Main Exchange as approved by the Garrison Commander; and

e. Individual serving sizes of malt beverages and wine in bottles or cans of 12 oz. or less may be sold to registered guests at The Five Star Inn as long as guests serve themselves and bottles or cans are sealed and stored in a cabinet or refrigerator.

f. Catering. MWR activities and other USMA FB&E activities authorized to sell alcohol in accordance with paras 2-5a and 2-5c above may sell and serve alcoholic beverages at parties or events catered at locations on the installation where the consumption of alcoholic beverages is authorized. All controls and prohibitions within AR 215-1, paras 7-14 and 7-15, are applicable to any such selling or service of alcoholic beverages.

g. Hours. The Garrison Commander will establish hours for dispensing or selling alcoholic beverages on West Point, with the exception of the dispensing or selling of alcoholic beverages at DCA FB&E facilities. Installation activities, other than DCA FB&E activities, which dispense or sell alcoholic beverages, will submit a proposal for hours of operation for approval through DCFA, ATTN: MAPA, to the Garrison Commander. The DCA will submit through the Commandant, USCC, to the Superintendent, a proposal for hours of operation of DCA FB&E and theater activities, which dispense or sell alcoholic beverages.

h. Non-alcoholic Beverage Service and Sale. At any event where alcoholic beverages are available or sold, non-alcoholic beverages must also be available or offered for sale.

2-6. Alcohol De-glamorization Program

The following de-glamorization program will be implemented at West Point:

- a. Alcohol De-glamorization Program for unit commanders, staff personnel and civilian supervisors:
 - (1) Ensure that non-drinkers are considered when planning unit-sponsored functions, such as parties or athletic events.
 - (2) Do not offer alcoholic beverages as prizes in unit sponsored contests, athletic events, etc.
 - (3) Whenever free beer or other alcohol is offered, free non-alcoholic beverages must also be available.
 - (4) When planning unit functions, do not use terminology that glamorizes alcohol.
 - (5) Prohibit the sale of alcoholic beverages at functions directed at youth (i.e., little league games, etc.).
 - (6) Prohibit requiring or influencing someone to buy drinks because of an initiation or promotion or other event.
 - (7) Prohibit drinking contests.
 - (8) At unit functions, make readily available amusements, events, or other diversions that offer alternatives to alcohol consumption.
 - (9) Ensure that an intoxicated person will not be served beverage alcohol at unit functions.
- b. Alcohol De-glamorization Program for Club Managers:
 - (1) Eliminate any advertising that glamorizes alcoholic beverages or their use.
 - (2) Eliminate any use of pro-rated bars so that non-drinkers do not share the cost of alcoholic beverages.
 - (3) Always have a non-alcoholic drink as the most inexpensive beverage available.
 - (4) Ensure that Bartenders prepare drinks in accordance with the Army Bartenders Guide. A single recipe will be used unless required by the Bartenders Guide.
 - (5) Do not award alcoholic beverages as gifts or prizes (except wine at special occasions, such as an anniversary).
 - (6) Ensure that whenever alcoholic beverages are offered free, non-alcoholic beverages are offered free.
 - (7) Make available amusement machines or other diversions that offer an alternative to the consumption of alcohol.
 - (8) Prohibit "last call" and other countdown techniques designed to promote last minute alcohol sales.
 - (9) Prohibit procedures that require or encourage patrons to buy a round.

2-7. Mandatory Referral to the Alcohol and Drug Abuse Prevention and Control Program (ADAPCP)

Commanders and civilian supervisors will refer to the ADAPCP for evaluation:

- a. Military members involved in the following incidents:
 - (1) All accidents/incidents related to alcohol abuse.
 - (2) All incidents of domestic or family violence that involve alcohol or other drug abuse.
 - (3) Military members with a blood alcohol level of .05 percent or above, while on duty.
 - (4) Military members suspected or identified as alcohol abusers.
- b. Civilian employees will be referred to the Employee Assistance Program (EAP) IAW AR 600-85, Chap 5-4, when the employees job performance, conduct, or work attendance indicate a pattern of alcohol or other drug abuse.

APPENDIX A

GLOSSARY

Section I

Acronyms

AAFES

Army, Air Force Exchange Service

ADAPCP

Alcohol and Drug Abuse Prevention and Control Program

ASIP

Alcohol Sellers Intervention Program

BAC

Blood Alcohol Content

COD

Community Operation Division

DCA

Directorate of Cadet Activities

DCFA

Directorate of Community and Family Activities

EAP

Employee Assistance Program

FB & E

Food, Beverage and Entertainment

MWR

Morale Welfare and Recreation

UCMJ

Uniform Code of Military Justice

USCC

United States Corps of Cadets

Section II
Terms

Alcoholic Beverages

Potable beverages containing any amount of ethyl alcohol. This includes wines, malt beverages, and distilled spirits.

Installation

Everything within the physical boundaries of the West Point reservation and STAS.

"Normal duty hours"

For Military Personnel: The hours between 0730 and 1630, Monday through Friday (legal holidays exempted).

For Civilian Personnel: The hours between 0745 and 1630, Monday through Friday (legal holidays exempted).

Any hours during which a military member or civilian employee is required to be present for duty.

Open Container

Includes any open vessel which contains alcoholic beverages or any vessel in which alcoholic beverages were sold and on which the seal has been broken or removed.

Possession

An individual's act in maintaining physical custody or control over property that is in the individual's immediate vicinity. Possession includes but is not limited to those items held in the hand of an individual, located on the individual, or otherwise within the immediate control of the individual. In the case of individuals operating or riding in motor vehicles, possession includes, but is not limited to, that property which is accessible to the driver or other passenger of the vehicle while it is being operated.

Unit sponsored social event held during duty hours

A social gathering of members of the unit.

Approved in advance by battalion commander or higher headquarters and/or civilian supervisors.

Attended by at least one officer or noncommissioned officer from the unit/activity concerned.