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FEDERAL REGULATION OF YOUTH CAMPS H.R. 6761

STATUS:

H.R. 6761, the "Youth Camp Safety Act," has been reported out of the House Education and Labor Committee and is now pending before the House Rules Committee. Floor action may come within days.

PROVISIONS:

H.R. 6761 would create a Federal Advisory Council on Youth Camp Safety and an Office of Youth Camp Safety within HEW. The first of these agencies would promulgate Federal standards for state youth-camp safety regulations. The second would impose regulations directly on those states which fail to create regulations of their own which meet Federal standards. The Office of Youth Camp Safety would also be empowered to monitor and enforce compliance with both state and Federal regulations by means of inspections, reports, and fines. This regulatory apparatus would apply to all "day camps, residential camps, troop camps, travel camps, and trip camps" in the nation.

ARGUMENTS IN FAVOR OF H.R. 6761:

Supporters of this legislation have used one major argument: Since every lost child is irreplaceable, any amount of Federal intervention is justified. If all the dollars and man-hours required prevent just one death, the whole regulatory effort will have been worth it.

ARGUMENTS AGAINST H.R. 6761:

Opponents of this legislation have made the following points:

(1) In point of fact, the trade-off is not between dollars and deaths but between the deaths (and injuries) of some children and the deaths of others. Even if one assumes that H.R. 6761

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would prevent some of the deaths which occur in the nation's youth camps, one must also reckon with the fact that the death rate is appreciably higher outside camps than in them.

One must realize that compliance with regulations necessarily involves a cost in time and money -- not just to the government and taxpayers but to the persons and agencies who are being regulated. Just as OSHA regulations have increased the cost of manufacturing, youth camp regulations will increase the cost of operating a camp. Since the nation's camp operators are not endowed with infinite resources, one effect of H.R. 6761 will be to diminish the number of children they can serve. Children who would otherwise have been able to go to camp will have to stay home.

"Home," of course, means backyards, streets, and playgrounds -- not just the kids' bedrooms. One would naturally expect death rates to be higher in such unstructured environments than in the supervised regime of a summer camp. According to HEW and the National Safety Council, this expectation is entirely correct. Here are the numbers:

Child Deaths

<u>Youth</u>	<u>Quantity</u>	<u>Rate</u>	<u>Source</u>
34 million children age 5-14	8,102 Deaths	One Death per 218,228 child weeks	National Safety Council
639,673 child weeks in youth camps studied	2 Deaths	One Death per 319,836 child weeks	1975 HEW Study of 347 camps in Pa., Fla., Wash.; 1973 HEW Century Study of 128 camps; Boy Scouts of America 1973-1976; NOTE: Death rate too low to be statistically significant
7,200,000 child weeks All Youth Camps	25 Deaths	One Death per 288,000 child weeks	HEW estimate

When one calculates injuries as well as deaths, the superior safety of youth camps is even more marked. Here are some more numbers:

<u>Youth</u>	<u>Quantity</u>	<u>Rate</u>	<u>Source</u>
34 million children age 5-14	16,874,000 injuries	One injury per 105.2 child weeks	National Safety Council
347 Youth camps		One injury per 1,190.5 child weeks	1975 HEW Study of Youth Camps in Pa., Fla., Wash.
128 Youth camps		One injury per 1,428 child weeks	1973 HEW Century Study
729,000 boy weeks Boy Scouts of America	3,726 injuries	One injury per 195.65 boy weeks	Testimony before sub-committee NOTE: BSA definition includes minor injuries while others do not.

These numbers have simple and clear implications. If children are forced by rising costs to give up organized camping, they are being transferred from a less hazardous situation to a more hazardous one. H.R. 6761 makes it harder for kids to gain access to one of the safest environments they ever enter. It may diminish risks for the ones who are lucky enough to stay in camp, but it definitely increases the risks for others.

There is, of course, no fool proof way to predict exactly how many children will suffer death or injury because this legislation kept them out of camp -- just as there is no way to predict how many deaths and injuries at camp the legislation would prevent. It is, therefore, impossible to know whether H.R. 6761 would on net balance diminish the death rate or increase it.

What is certain, however, is that this legislation redistributes risks among different classes of children. Those whose parents could still afford the increased costs of camping will presumably be safer. Some children from lower-income families will also be safer -- that is, those children whose costs charitable agencies like the YMCA can still cover. The YMCA will, of course, have to divert some money from subsidizing such children to meeting the costs of complying with the regulations. The children who are shut out of camping will therefore tend disproportionately to be lower-income children. Like it or not, H.R. 6761 is class legislation. It makes life safer for middle and upper-income children by making it more dangerous for the children of the poor.

(2) H.R. 6761 will also have an adverse environmental impact, though no one has yet tried to estimate how significant this impact will be. The tentative regulations already drafted by HEW would require detailed advance reports on specific activities like overnight hikes. A Scoutmaster who decided to take his troop up to the mountains for a weekend would actually have to file an itinerary in advance. This paperwork nuisance would encourage consolidation of trips: The Scoutmaster would find it advantageous to plan a single expedition for his whole troop rather than several separate hikes for the several small patrols within his troop. As any forest ranger can tell you, big groups do more damage to the environment than smaller ones: Environmentalist societies like the Sierra Club encourage hikers and backpackers to think small because fragile wilderness eco-systems are easily damaged by saturation. The HEW regulations would actually forbid one-man expeditions by individual Scouts trying to meet the requirements for Eagle rank. Many hikers would rather not enter the woods at all than do so as part of a mob. Those who do not feel this way are usually the ones who are least sensitive to environmental values and most apt to do damage.

(3) Youth camps are already heavily regulated. A camp operator in North Carolina points out that he has to report to six Federal agencies and twelve State agencies which monitor health, sanitation, fire safety, and other aspects of his operation. He also has to meet the regulations of his insurance companies.

(4) Behind this legislation lurks a philosophical question: Are we trying to mandate a risk-free society? The average person suffers an injury of some kind once every two years as he passes through childhood and adolescence. (If he spent all his time in a Boy Scout camp, this rate would fall to one injury every four years.) The only way to prevent all those injuries would be to lock everyone into his bedroom at birth: We would achieve total safety at the price of abolishing childhood.

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