

able to purchase cigarettes from vending machines, even in jurisdictions that have laws restricting the placement of the machines or requiring the use of locking devices.

SEC. 3. ACCESS.

(a) VENDING MACHINES.—Vending machines may be used to sell tobacco products only in an area or establishment from which individuals under the minimum age prescribed by subsection (b) are denied access.

(b) MINIMUM AGE.—No manufacturer, distributor, or retailer of tobacco products may sell a tobacco product to an individual who is under the age of 18, except that if a State or municipality has established a higher age, no manufacturer, distributor, or retailer of tobacco products may sell tobacco products in that State or municipality to an individual who is less than such higher age.

(c) PREEMPTION.—This Act shall not preempt any State or municipal law which bans vending machines that sell tobacco products, nor will it preclude any State or locality from enacting such a stronger ban in the future.

SEC. 4. DEFINITION.

For purposes of this Act, the term "tobacco product" includes cigarettes, cigars, little cigars, pipe tobacco, and smokeless tobacco.

SEC. 5. PENALTY.

Any person who violates this Act is liable to the United States for a civil money penalty of \$1,000 for each violation.

EMPTY SHELVES: 1998 SURVEY OF U.S. FOOD BANKS

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 26, 1998

Mr. HALL of Ohio. Mr. Speaker, I commend to my colleagues' attention the following report on the tremendous challenges food banks across the United States are facing. Despite our booming economy, demand is rising at surprising rates in most communities.

Here in Congress, most of the talk about hunger has focused on welfare and the reform bill that we passed in 1996. But when you leave Washington, the focus shifts to the food banks. That's where hungry people turn when they've run out of options, and it's where the millions of Americans who regularly donate to canned food drives send their support.

The food banks are in trouble. I am not here to rehash welfare reform, Mr. Speaker, and I was surprised that most food banks aren't interested in doing that either. As the food bank in Montgomery, Alabama put it, "We are doing our best to meet the need, and we think in the end we will help make welfare reform work." A lot of food banks expressed similar optimism, and I share their hope. I think all of us do.

Of all the ways we can make welfare reform work, food is the least expensive one. Job training, transportation to get to a job, child care, health care—these are all pricey investments. Food is an investment too—although some people talk as if food is like a carrot you dangle in front of a mule to make it go where you want it to go. That might work with animals, but it simply doesn't work with people.

Hungry makes people tired. It saps their spirit and drive. It robs them of the concentration they need to learn job skills. It forces them to focus on where their next few meals

are coming from—instead of on finding a job, or holding one. And it makes them prone to get sick, from every flu bug that comes around, and up to some very serious diseases.

When Congress enacted welfare reform, we increased federal support for food banks by \$100 million—but the money inserted into the gap between need and supply is falling far short. We originally took away \$23 billion from food stamp recipients. But we gave just \$100 million to food banks. With that, they are struggling to provide just a few days worth of emergency food to the people who've lost their food stamps, or whose food stamps don't last the entire month. It's just not enough.

It made common sense to increase our support for food banks significantly, and we did just that. With evidence mounting that this still falls impossibly short of what is needed—and that many food banks simply cannot make it without more support—it makes common sense to revisit the decision on the appropriate amount of additional support.

This survey of food banks adds to the evidence of booming demands on food banks. It is not designed to be statistical analysis. But it does provide perspective from around the country—a window on what is happening in communities of every size.

What I found most striking overall is that, of the food banks that estimated the increase in demand for food, 70% reported demand grew much faster than 16%. That is the rate reported in a December 1997 survey by the U.S. Conference of Mayors that shocked me, and many other Americans. And yet so many food banks are reporting even higher rates. I think it underscores the fact that poverty reaches beyond our cities. It scars rural communities and suburban ones too—a fact that many people overlook when they conjure in their minds the image of a welfare mom, or a food stamp recipient, or someone in line at the local food pantry.

Beyond that, the story of hunger in America that the food banks are documenting is an individual one. It increasingly features working people, whose low-wage jobs don't pay enough to put food on the table. Often, it includes people for whom hunger is a symptom of deeper problems—of illiteracy, a lack of education, a history of substance or domestic abuse. But equally often it includes people who are trying to climb out of their problems, trying to improve their prospects and willing to participate in initiatives aimed at giving them the tools they need. And, when the story includes a food bank, it always features people doing the Lord's work—and in increasingly creative ways. The survey describes some of those approaches, and I think many of them deserve attention and praise.

The food banks, and the hungry people who are doing their best to escape poverty, cannot do it alone. We need a range of initiatives to fill the gaps, and I will be using this survey to support my work on at least three ideas:

First, and most immediately, the food banks need more money. I am working on a bill now, but the fact is that even millions of dollars would be a small investment in making sure that welfare reform succeeds. I'm also looking into including the President's request for \$20 million to support gleaning initiatives, because food banks rely heavily on gleaned food.

Second, we need to end the tax law's discrimination against charitable donations from

farmers and businesses who want to donate food. Current law says the value of food is nothing more than the cost of its ingredients—which already are deducted as a cost of doing business.

That means it makes no difference to the green eyeshades in "Accounting" whether the food is donated or dumped. In fact, it costs a few pennies more to donate the food (in transportation or labor costs). The same is true for farmers: why not plow under unsold crops, if it costs you time or money to donate them instead? Many businesses and farmers donate food anyway—but many more probably would if we treat food as a charitable donation, in the same way that old clothes and other donated goods are treated.

Late last year, I introduced the Good Samaritan Tax Act, H.R. 2450, and I urge my colleagues to support that. I also am looking into ways we can remove obstacles to trucking companies and others who can help get food to hungry people.

Third, we must increase the minimum wage. As the Latham, New York food bank put it, "The fastest growing group of people being served by food pantries is the working poor. That is a disgrace. Minimum wage should lift people out of poverty."

There are other good anti-hunger initiatives as well, but if we are serious about answering the clear call of food banks in trouble, these three ought to be at the top of the agenda.

Food banks have been doing the hard work on the front lines of fighting hunger for decades. They are supported by their communities, and they are the organizations that increasing numbers of citizens turn to. In my own state of Ohio, *one in nine* people seek emergency food assistance every month, according to a September 1997 report by the U.S. Department of Agriculture.

When I visited my local food bank in Dayton recently, I was amazed to find it was the same place I had come often in the past. Then, the shelves were brimming with food—and good food too. Lately, the shelves have been empty, and when I visited it seemed they contained more marshmallows than nutritious staple foods. I was able to convince Kroger to make a generous donation to help Dayton's food bank. I urge my colleagues to see for themselves what is happening in their own communities, and to lend a hand in whatever way you can to answer this growing need.

Increasing numbers of people are so hungry they're willing to stand in line for food, Mr. Speaker. I cannot rest knowing that, too often, there is no food at the end of that line. And I urge my colleagues to take a few minutes to review this report, and to see the situation for themselves.

EMPTY SHELVES: 1998 SURVEY OF U.S. FOOD BANKS

A Report by Hon. Tony P. Hall, Member of
Congress, February 25, 1998

BACKGROUND

In January, 1998 I surveyed more than 200 food banks to learn their experience in meeting the needs of the people, and the charities that serve them, who turn to food banks. Fifty-five responded in detail.

The questionnaire was designed to accomplish two goals. First, it would provide information that could be used to gauge the depth of a phenomenon documented in the U.S. Conference of Mayors' December 1997 report, which found 16 percent more people were turning to food banks for assistance in 1997

than just a year earlier. Second, it would yield a response—including a weekly grocery list—that could be sent to Members of Congress or corporations who may be able to provide publicity or other help in meeting their local food bank's practical needs.

The questionnaire posed these questions: (1) Is the demand for your services greater than you are able to meet? If so, please characterize the extent of unmet need. (2) Is the demand for your services increasing? If so, can you estimate how much it has grown in the past year? (3) What additional resources—food or money—do you need to answer the immediate needs of the people you serve? (4) What solutions to the problems of hunger and poverty are most promising in your experience?

SUMMARY OF FINDINGS

The overwhelming majority of those who responded indicated that food banks are having increasing difficulty keeping enough food on their shelves to feed those in need. Seven of every 10 food banks that estimated how much demand was up responded that it was rising even faster than the 16 percent increase documented by the Mayors. This does not challenge their findings; it simply underscores the fact—often overlooked—that poverty reaches beyond the inner city to scar much of rural and suburban America as well.

Food banks also emphasized that many of their clients are working, but cannot afford to put food on the table at the low wages they are earning. Living-wage jobs were the favorite suggestion of those who made policy recommendations, but with the qualification that low-paying jobs only prolong the problem.

The responses endorsed the goals of welfare reform, although many questioned the route chosen to reach those goals. And many of the food banks responding described creative and promising approaches to some problems their clients encountered regularly. Among these are programs designed to help clients manage their money better, address their child care needs, and take other steps toward self-sufficiency.

Finding: Demand at Food Banks is Booming

Estimating the increase in need for emergency food is a challenge, food banks report. It is the rare organization that can confidently say it is meeting its community's needs. It is an overwhelmingly common view that more food can always be used.

Most of the food banks limit the help they extend, often providing enough food for only two to five days each month. As food banks across Arizona found, "pantries are reporting that residents in need are regularly exhausting the number of times they can receive emergency food boxes." The question becomes, is demand up—or are we just realizing there are more hungry people than we knew?

The increased need is clear, however, in the new faces turning up in lines for food, many say. For example:

In Camden, New Jersey, one-third of the 215 non-profits the food bank serves are reporting a 50 percent increase in first-time requests. The rest say demand is up between 30 and 40 percent.

In Waynesburg, Pennsylvania, one in ten clients are first-timers. That food bank has seen no increase, but believes that welfare reform has not yet hit the region.

Beyond this indicator, the sheer numbers of people turning to food banks for help is strong evidence that, in the words of an Evansville, Indiana food bank, "we can't begin to meet this need," or as a food bank in Wilmington, North Carolina put it, "I feel we are only scratching the surface. We will never be able to solve hunger, but maybe we can make an effort at managing it."

In Everett, Washington, demand has almost tripled in the past year for its three-day food boxes, available to clients just once a month. In Abilene, Texas, the food bank is keeping up with demand, but only by "feeding twice the number of people we fed last year."

In Kansas City, Missouri, charities served by the food bank are reporting increased demand from 60 percent to 138 percent. One in five of these agencies had to cut down on the amount given to each client; one in ten had to turn people away.

Demand is up 60 percent in both Lame Deer, Montana and Elizabeth City, North Carolina. And in Asheville, North Carolina, demand was 52 percent higher in the last half of 1997 than in the first half.

Crookston, Minnesota's 1997 flood turned out to be a blessing because it brought out the generosity of Americans, as natural disasters so often do. "Partly as a result of the flood we have enough food and funds at this time," Crookston reports. Still, they distributed 50 percent more food in 1997—not counting the disaster relief—and usually run short of meat for their clients.

In Ladson, South Carolina, the food bank estimates it is meeting only half of the need for food, yet demand still grew 45 percent over the past year. Fredericksburg, Virginia's food bank reports a similar situation. "We could distribute three times the food we now do," it says; actual demand is up 42 percent.

In Atlanta, Georgia and Tyler, Texas, demand is up 30 percent over a year ago. In Cumberland, Maryland it is up 37 percent. In Phillipsburg, New Jersey, with demand up 30 percent, "we are just able to keep our heads above water," the food bank reports.

Food banks reporting increases of one-fourth to one-fifth over last year include those in Montgomery, Alabama; Phoenix, Arizona; Evansville, Indiana; Lewiston, Maine; Boston, Massachusetts; Hancock, Michigan; Harrisburg, Pennsylvania; and Sioux Falls, South Dakota.

In Oregon, demand is up 18 percent statewide. Across Ohio, food banks report increases of 10 percent. This is still considerable, considering that one in eight Ohioans seeks emergency food assistance every month, according to a September 1997 study by the U.S. Department of Agriculture.

There were smaller increases reported, too, of: 17 percent in Bloomington, Indiana; 17 percent in Des Moines, Iowa; 15 percent in Norfolk, Nebraska; 13 percent in St. Louis, Missouri; 10 percent in Grand Rapids, Michigan; 8-9 percent in Orange, California; 4 percent in Howell, Michigan; 4 percent in Tillamook, Oregon (but which saw demand rise 27 percent the prior year); and 9 percent in Silverdale, Washington.

And the food banks are not alone. The charities that many of them depend upon report increasing numbers of people are turning to them for food.

The food bank serving Elizabeth City, North Carolina, has seen 15 charities that long have been in existence turn to the food bank after welfare reform. Among all of the agencies it serves, one in three is "stretching" food to try to help more people; one in four is unable to keep up with the demand no matter what it tries, it found in its own survey.

In Cumberland, Maryland, 50 charities have signed up for help from the food bank, bringing a one-third jump in the number of organizations that rely upon the food bank.

In Mobile, Alabama, demand is up 35 percent. Half of that is due to serving more individuals. There are more charities operating food pantries in Fort Smith, Arkansas as well. And across Arizona, there are nearly 15 percent more charities being served by food banks.

In Norfolk, Nebraska, several large agencies have closed their doors because they lacked money or manpower, compounding the 15 percent increase in overall demand.

In Pittsburgh, Pennsylvania, many charities cannot even afford the subsidized prices of products the food bank offers.

Nor is the demand for just an added boost—it is for much more intensive help.

In Lubbock, Texas, "increasing numbers of people turn to the food bank and our partner agencies as a first stop for emergency food assistance—rather than a resource for stretching food budgets."

Charities in Albany, Georgia also "are being called on more and more to help those in need."

Finding: Food Banks Need More Resources

Food banks across the nation are coping with this challenge by "stretching" food—putting less into packages for clients, or buying beans and other cheap foods. In Latham, New York, for example, the number of clients has increased by 25 percent at some charities, but just 10 percent more food is being distributed. That strategy runs into two obstacles, however.

First, and obviously, food can only be "stretched" so far. Dayton, Ohio's food bank echoes what many others say: "We are no longer able to provide the variety of food that we used to." This problem goes beyond the depressing prospect of eating lousy food day in and day out: without proteins and fresh produce, malnutrition quickly sets in, with all of the health problems that accompany it. Children and the elderly are at special risk.

Second, in the words of Mobile, Alabama's food bank, "even those in need are affected by national trends. Many of these people need food products that require minimum preparation." For people trying to hold down one or more jobs, this is particularly important. And many foods that offer quick preparation do not lend themselves to being "stretched."

Some food banks try to counter the widespread lack of knowledge about how to spend food dollars wisely with classes on nutrition and managing money. Some go beyond that to provide the skills needed to overcome problems that often are at the root of hunger—including classes on job readiness, overcoming drug, alcohol and domestic abuse, child care and parenting, first aid and home security.

The grocery lists the survey requested food banks to complete were particularly instructive. It seems that food banks can use almost anything, and the only item in sufficient supply in many communities is day-old bread. Most urgently needed are staple foods, with meat particularly hard to come by. In Boulder, Colorado, "we almost never have beef, pork, ham or hamburger," the food bank reported. It was a comment echoed often by other food banks.

Personal care items, diapers, soaps and detergents, and paper products—all not covered by food stamps—were another frequent requests. Produce, both fresh and frozen, and all kinds of canned goods are also needed. "Ensure" and other supplements, as well as infant formula, also were requested.

In Lame Deer, Montana, the shelves are bare by the last week of each month, with cereals and soups the first to disappear.

In Waynesburg, Pennsylvania, "fresh products are non-existent" throughout each month.

In Lubbock, Texas, staples are expected to be in short supply by summer.

After all of the donations are in, money is still needed to make up for "the staples that aren't often donated," as the food banks in Fredericksburg, Virginia and other communities said. Money also would help meet the

growing need for freezers and refrigerators to store food, and vans to deliver it.

With money, food banks can buy more food than if they receive food donations directly, Abilene, Texas' food bank explained in a comment repeated often. They also can pay the overhead expenses essential to continuing to supply food. "Most of all we need more money," the food bank in Los Angeles said. "No matter how frugal we are, our operating costs rise."

Food banks also need more volunteers, many said. Finally, most would be lost without commodities provided through federal programs—but most could use a lot more commodities than they are getting.

Food Banks' Wish List

In addition to their tangible needs, several food banks described a real need for more public awareness of what the people they serve face—and what food banks are doing to respond. "Acceptance of the fact that there are poverty and hunger in the United States would be a good start," the Waynesburg, Pennsylvania food bank said.

The Des Moines, Iowa food bank recommends "a national initiative to raise the awareness of all Americans of the lifelong damage hunger and poverty can do." Des Moines and others also advocated giving "profit-making food industry companies . . . an incentive to donate."

Finally, a broader appreciation of their clients' needs would also help food banks do their jobs, some said. "While our primary goal is to feed the hungry, food does very little good if there is no power to cook it," the Silverdale, Washington food bank said, suggesting contributions to electric bills.

STRATEGIES FOOD BANKS USE TO COPE

Access to Low-Cost Food

Food banks are using a variety of ways to meet the challenge of increased demand—and one of the most promising is a push to harness their access to low-cost food.

For example, the food bank in Mobile, Alabama said, it can provide \$350 worth of food each month to families at a cost of \$25. If they did that during a transition period, a family could use the money saved on food to pay for transportation, child care, and other costs of starting a new job. "The bottom line is that when a comparison is made between additional monthly costs of going from welfare to work, and feeding a typical welfare-to-work family, these are approximately equal," the food bank has found.

A Grand Rapids, Michigan food bank has refined the idea further into its "Waste Not Want Not" initiative. That helps clients in need save their cash for other necessities. It encourages the donation of funds, which are tax-deductible, rather than of food; the result is 25 percent more resources. It lets clients choose their own food, significantly cutting down on the amount of food wasted. And it stays flexible enough to get the food it needs from food banks, rather than from grocery stores. The approach is promising, and the food bank estimates its operating costs have fallen to just over half of food banks' national average.

Fresno, California's food bank also sees a serious need for low-cost food available at retail for needy people. It serves 25-30 percent of its community's needs. Atlanta, Georgia's food bank also recommends co-operatives where low-income people can shop, and Cincinnati, Ohio's food bank recommends more farmers markets. Even food banks are having a difficult time getting low-cost food, according to Orange, Califor-

nia's food bank. "Food availability is down all over the country. This means we have to purchase more product."

"Do-It-Yourself"

Many food banks are getting involved in producing food—not just handling it. "We are grouping, gleaning, and/or processing an increasing amount of vegetables and fruits," said the food bank in Lubbock, Texas. "Not only does this assure fresh food, but it is providing job-training opportunities for many economically disadvantaged persons in our region."

An organization in Lansing, Michigan was established to do just that, and it has matched apples, potatoes and other produce from the state's farms with donations of sugar and other ingredients, cold storage, trucking, and food processing to send truckloads of food to the communities that need it.

SUGGESTED SOLUTIONS

Jobs

A considerable majority of food banks support efforts to get people off welfare and back to work. "Jobs, jobs, jobs!" a food bank in Harrisburg, Pennsylvania advised. "When people have good, reasonably paying jobs then there is no hunger, nor the need for our services."

Another food bank in Bloomington, Indiana has found that employing needy people in its operation has far-reaching effects. "Helping someone else is always helpful for yourself," its operation has proved.

Oregon food banks suggested letting people get some cash assistance if they work part-time, and enacting state Earned Income Tax Credits—both initiatives to encourage work.

Increase the Minimum Wage

But many also cautioned that low-wage jobs are not enough to end their clients' dependence on emergency food. "The fastest growing group of people being served by food pantries is the working poor," the food bank in Latham, New York complained. "That is a disgrace. Minimum wage should lift people out of poverty."

"Service sector positions at the minimum wage only continue the crisis," a Boston, Massachusetts food bank has found. "Make it more profitable to work and get ahead," said one in Norfolk, Nebraska. "Full-time work should equal at least enough for necessities," the Crookston, Minnesota food bank wrote.

Skills Training

A common companion to hunger is the lack not only of appropriate job skills—but of a range of other capabilities as well. Among "Service sector positions at the minimum wage only continue the crisis," a Boston, Massachusetts food bank has found. The recommendations: mentoring, literacy training, money management, nutrition and meal-planning, and "practical living" skills. The food bank in St. Louis found that "programs that lead a family through the system, from the beginning to self-sufficiency" worked wonders.

Child Care

As welfare reform returns people to work, food banks and others are finding that their lack of access to child care is a severe obstacle. "Affordable and reliable child care is . . . one of our most pressing needs," the food bank in Silverdale, Washington said. "There are many single moms that not only could, but are eager to, get off welfare roles if they could just find a safe, nurturing place

to bring the kids—and one that mom could afford." That observation was echoed repeatedly, along with a recommendation for more child-feeding programs

LONG-TERM SOLUTIONS

"We're helping people exist, but can't do much to solve the problems that are keeping them hungry," the food bank in Elizabeth City, North Carolina reported.

"Somehow we have to get to the roots of hunger and poverty and turn people around in their formative years. . . . Help them to help themselves," the food bank in Orange County said. There there may always be a need for "just a little help with financial emergencies," Howell, Michigan's food bank said, but there are many ways to help people overcome their own trouble holding jobs.

POLITICAL ASSESSMENTS

The survey yielded several political assessments about where best to lay blame for the fact of hunger and poverty. "Undoing all of the liberal policies that have mired millions of our citizens in entitlement dependency," was the recommendation from a Verona, Virginia food bank. "Cut food stamps so people will look for work," a food bank in Tillamook, Oregon suggested.

Far more blamed welfare reform. "My day of disillusionment came on Aug. 22, 1996 [when] political expediency made a bad bill become law. We've been struggling since that day and it appears for the hungry things will only get worse," said the Des Moines, Iowa food bank.

Another in Boston, Massachusetts called it "senseless to remove people's means of sustaining their existence without developing an alternative means for them to obtain the necessities for their families."

Another took no side in the debate over the role welfare reform has played in the current situation. "Our concern is not with the political pros and cons of welfare reform but how we can best make what has already been decided upon work," said Montgomery, Alabama's food bank.

And another pointed out the ironic route welfare has traveled. "There was a time in America's history that the WPA and the CCC built a lot of libraries and camp sites for a lot fewer tax dollars than are required now just to maintain the welfare infrastructure," the Silverdale, Washington food bank pointed out.

CONCLUSIONS

As states work to replace the federal welfare system with structures of their own, the number of people turning to food banks for emergency assistance is growing. New strategies are being tried, many with success, and they need to be encouraged.

To ensure Americans who turn to food banks for help do not go hungry, food banks need additional support.

They need the goodwill and charitable contributions of their community, and that participation of more of its individuals and business.

They need public and private initiatives that complement their efforts and address the root causes of hunger and poverty.

They need federal laws that ensure a living wage and encourage generosity.

And they cannot do without the support of federal funds and a federal commodity foods.

Ingenuity alone cannot make up for the dramatic cuts in our nation's nutrition safety net. Neither the private sector, nor most local communities, can fill the gap alone.