

116TH CONGRESS
2D SESSION

S. _____

To amend the Public Health Service Act to provide for the implementation of curricula for training students, teachers, parents, and school personnel to understand, recognize, prevent, and respond to signs of human trafficking and exploitation in children and youth, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. MURKOWSKI (for herself, Ms. SMITH, Mr. SULLIVAN, Ms. HASSAN, Ms. CORTEZ MASTO, Mr. HEINRICH, Ms. KLOBUCHAR, Mr. WYDEN, Mr. MERKLEY, Ms. HIRONO, Mr. TESTER, Mr. VAN HOLLEN, Mr. JONES, Ms. ROSEN, and Ms. SINEMA) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Public Health Service Act to provide for the implementation of curricula for training students, teachers, parents, and school personnel to understand, recognize, prevent, and respond to signs of human trafficking and exploitation in children and youth, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Human Trafficking
5 and Exploitation Prevention Training Act of 2020”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) According to the National Human Traf-
4 ficking Hotline, operated by the National Human
5 Trafficking Resource Center, there is no single pro-
6 file for trafficking survivors—trafficking survivors in-
7 clude adults and minors from rural, suburban, and
8 urban communities across the country. Survivors of
9 human trafficking have diverse socioeconomic back-
10 grounds, varied levels of education, and may be doc-
11 umented or undocumented. According to the 2018
12 Trafficking In Persons Report produced by the De-
13 partment of State, the Department of Justice, the
14 National Human Trafficking Resource Center, and
15 Youth.gov, vulnerable populations and risk factors
16 for human trafficking include—

17 (A) children in the child welfare and juve-
18 nile justice systems;

19 (B) runaway youth;

20 (C) homeless youth;

21 (D) youth forced to leave home by parents
22 or caregivers with no alternate care arranged;

23 (E) unaccompanied children;

24 (F) American Indians and Alaska Natives;

- 1 (G) migrant laborers, including undocu-
2 mented workers and individuals with temporary
3 visas;
- 4 (H) recent migration or relocation;
- 5 (I) persons with disabilities;
- 6 (J) LGBTI individuals;
- 7 (K) people of color;
- 8 (L) those with limited-English proficiency;
- 9 (M) low literacy;
- 10 (N) substance abuse;
- 11 (O) mental health issues;
- 12 (P) past trauma or violence;
- 13 (Q) stigma or discrimination;
- 14 (R) family conflict, disruption, or dysfunc-
15 tion;
- 16 (S) community-level risk factors such as
17 peer pressure, social norms, social isolation,
18 gang involvement, and living in an under-
19 resourced school, neighborhood, or community;
20 and
- 21 (T) society-level risk factors such as lack
22 of awareness of commercial exploitation and
23 human trafficking, sexualization of children,
24 and lack of resources.

1 (2) According to the National Human Traf-
2 ficking Resource Center, human trafficking survivors
3 have been identified in cities, suburbs, and rural
4 areas in all 50 States, and in Washington, D.C. The
5 3 States with the highest incidents of human traf-
6 ficking cases reported via phone calls, emails, and
7 online tips to the National Human Trafficking Hot-
8 line in 2018 were California, Texas, and Florida, re-
9 spectively.

10 (3) According to the National Human Traf-
11 ficking Resource Center, the top recruitment meth-
12 ods used by sex traffickers based on self-reported
13 data from survivors involve an intimate partner or
14 marriage proposition, family members, individuals
15 posing as a benefactor, offers of employment, or in-
16 dividuals perpetrating fraud or offering false prom-
17 ises.

18 (4) According to the National Center on Safe
19 Supportive Learning Environments, traffickers may
20 systematically target vulnerable children by fre-
21 quentering locations where children congregate—malls,
22 schools, bus and train stations, and group homes,
23 among other locations. Traffickers also use peers or
24 classmates who befriend the target and slowly groom
25 the child for the trafficker by bringing the child

1 along to parties and other activities. According to
2 Common Sense Media, nearly all children age 8 and
3 under live in a home with some type of mobile device
4 and use it every day. This is especially concerning
5 given that traffickers often recruit through social
6 media platforms and other websites.

7 (5) Those within vulnerable populations are
8 often exploited or groomed for entry into human
9 trafficking at a very young age. According to a 2005
10 clinical report, “The Evaluation of Sexual Abuse in
11 Children”, published by the American Academy of
12 Pediatrics, studies have suggested that each year ap-
13 proximately 739,000 children experience some form
14 of sexual abuse, resulting in the sexual victimization
15 of 12 percent to 25 percent of girls and 8 percent
16 to 10 percent of boys before the age of 18.

17 (6) Sex trafficking and exploitation can take
18 many harmful forms, including a lesser-known but
19 just as damaging form of uncoerced exploitation re-
20 ferred to as “survival sex”, meaning the exchange of
21 sex for basic needs including clothing, food, shelter,
22 or other basic necessities. Survival sex does not in-
23 volve a third party trafficker or exploiter, and often
24 affects youth, including those who are homeless,
25 runaways, or housing-insecure, who lack the finan-

1 cial resources, job readiness, support system, or op-
2 portunity to afford or access these basic necessities.

3 (7) Training students, teachers, and school per-
4 sonnel to understand, recognize, and respond to
5 signs of human trafficking and exploitation in chil-
6 dren and youth is invaluable in the effort to identify
7 and prevent human trafficking and exploitation be-
8 fore it occurs. According to the National Human
9 Trafficking Resource Center, the widespread lack of
10 awareness and understanding of human trafficking
11 leads to low levels of survivor identification by the
12 people who most often encounter them. Survivors of
13 human trafficking are often forced to work or pro-
14 vide commercial sex against their will in legal and le-
15 gitimate business settings or underground markets.
16 It is often the case that those who are being ex-
17 ploited or trafficked are in plain view and may inter-
18 act with community members, underscoring the ur-
19 gent need for the expansion of training programs to
20 increase awareness and prevention activities in com-
21 munities across the United States.

1 **SEC. 3. DEMONSTRATION PROJECT TO TRAIN STUDENTS,**
2 **TEACHERS, AND SCHOOL PERSONNEL TO UN-**
3 **DERSTAND, RECOGNIZE, PREVENT, AND RE-**
4 **SPOND TO SIGNS OF HUMAN TRAFFICKING**
5 **AND CHILD EXPLOITATION.**

6 Section 582 of the Public Health Service Act (42
7 U.S.C. 290hh-1) is amended—

8 (1) by redesignating subsections (j) and (k) as
9 subsections (k) and (l), respectively;

10 (2) by inserting after subsection (i) the fol-
11 lowing:

12 “(j) DEMONSTRATION PROJECT TO TRAIN STU-
13 DENTS, TEACHERS, PARENTS, AND SCHOOL PERSONNEL
14 TO UNDERSTAND, RECOGNIZE, PREVENT, AND RESPOND
15 TO SIGNS OF HUMAN TRAFFICKING AND CHILD EXPLOI-
16 TATION.—

17 “(1) IN GENERAL.—The Director of the Office
18 on Trafficking in Persons of the Administration for
19 Children and Families (in this subsection referred to
20 as the ‘Director’) shall carry out a demonstration
21 project for training students, teachers, and school
22 personnel at elementary schools and secondary
23 schools to understand, recognize, prevent, and re-
24 spond to signs of human trafficking and exploitation
25 in children and youth.

1 “(2) PROJECT ACTIVITIES.—In carrying out the
2 demonstration project under this subsection, the Di-
3 rector shall—

4 “(A) approve vendors pursuant to para-
5 graph (3);

6 “(B) award grants pursuant to paragraph
7 (4);

8 “(C) develop a reliable methodology for
9 vendors and grantees to collect, and report to
10 the Director, in a manner that prevents disclo-
11 sure of individually identifiable information con-
12 sistent with all applicable privacy laws and reg-
13 ulations, data on the number of human traf-
14 ficking survivors identified and served pursuant
15 to this subsection, the number of students in el-
16 elementary school or secondary school identified
17 as being at risk of being trafficked or exploited,
18 and the demographics of such survivors and
19 students at risk; and

20 “(D) assist entities, in conjunction with
21 the appropriate State, Federal, and tribal part-
22 ners, that are eligible for grants under para-
23 graph (4) in developing proper protocols and
24 procedures to—

1 eral, State, local, and Tribal partners, to
2 develop the curricula; and

3 “(ii) has a demonstrated expertise
4 in—

5 “(I) developing age-appropriate,
6 culturally competent, and gender-re-
7 sponsive human trafficking and ex-
8 ploitation prevention curricula for stu-
9 dents, teachers, parents, or school
10 personnel in elementary school and
11 secondary school;

12 “(II) training students, teachers,
13 parents, or school personnel described
14 in paragraph (1); and

15 “(III) creating a scalable, repeat-
16 able program that employs appro-
17 priate technology tools and methodolo-
18 gies, including measurement and
19 training curricula.

20 “(4) GRANTS.—

21 “(A) IN GENERAL.—In carrying out the
22 demonstration project under this subsection,
23 the Director shall award grants to eligible enti-
24 ties to implement the training described in
25 paragraph (1) in accordance with the curricula

1 developed and made available by verified ven-
2 dors pursuant to paragraph (3).

3 “(B) DIVERSITY OF GRANTS.—In award-
4 ing grants under this subsection, the Director
5 shall—

6 “(i) consult with the Director of the
7 Bureau of Justice Assistance and the head
8 of the Office of Partnership and Engage-
9 ment of the Department of Homeland Se-
10 curity to identify the geographic areas in
11 the United States with the highest preva-
12 lence of reported human trafficking in-
13 stances for children, aged 5 through 17;

14 “(ii) consult with the Secretary of
15 Education, the Attorney General, and as
16 appropriate, with the Secretary of Housing
17 and Urban Development, the Secretary of
18 Labor, and relevant agencies to identify
19 the geographic areas in the United States
20 with the highest prevalence and numbers
21 of at risk, vulnerable, or underserved popu-
22 lations, including homeless youth, foster
23 youth, youth involved in the child welfare
24 system, and runaways; and

1 “(iii) give priority to eligible entities
2 located in, or primarily serving, one or
3 more areas identified pursuant to clause (i)
4 or (ii).

5 “(C) ALLOCATION OF GRANT FUNDING.—

6 The Director shall ensure that—

7 “(i) 30 percent of the grant funds
8 under this subsection are awarded to appli-
9 cants to serve elementary school students
10 and teachers;

11 “(ii) 40 percent of the grant funds
12 under this subsection are awarded to appli-
13 cants to serve middle grades students and
14 teachers; and

15 “(iii) 30 percent of the grant funds
16 under this subsection are awarded to appli-
17 cants to serve high school students and
18 teachers.

19 “(D) DEFINITION.—In this paragraph, the
20 term ‘eligible entity’ includes a nonprofit orga-
21 nization, an elementary school, a local edu-
22 cational agency, a secondary school, and a State
23 educational agency.

24 “(5) DATA COLLECTION AND REPORTING.—

1 “(A) IN GENERAL.—The Director shall
2 collect, and report to the Congress, data on the
3 following:

4 “(i) The total number of entities that
5 received a grant under this subsection.

6 “(ii) The total number of elementary
7 and secondary schools that established
8 proper protocols and procedures through
9 program development.

10 “(iii) The total number and geo-
11 graphic distribution of students, teachers,
12 and school personnel trained pursuant to
13 this subsection.

14 “(iv) The results of pretraining and
15 posttraining surveys to gauge increased
16 understanding and recognition of signs of
17 human trafficking and exploitation in chil-
18 dren and youth.

19 “(v) The number of human trafficking
20 survivors and exploited children identified
21 and served by vendors and grantees under
22 this subsection, excluding any individually
23 identifiable information about such sur-
24 vivors and children.

1 “(vi) The number of students in ele-
2 mentary school or secondary school identi-
3 fied by vendors and grantees under this
4 subsection as being at risk of being traf-
5 ficked or exploited, excluding any individ-
6 ually identifiable information about such
7 survivors.

8 “(vii) The demographics of human
9 trafficking survivors, exploited children,
10 and students at risk of being trafficked or
11 exploited described in clauses (v) and (vi),
12 excluding any individually identifiable in-
13 formation about such survivors, children,
14 and students.

15 “(viii) Any best practices identified by
16 the grantees under this subsection.

17 “(B) ANNUAL REPORT.—The Director
18 shall—

19 “(i) submit a report under subpara-
20 graph (A) not later than 1 year after the
21 date of enactment of this subsection and
22 annually thereafter; and

23 “(ii) prepare and submit each such re-
24 port in a manner that prevents the disclo-
25 sure of individually identifiable information

1 consistent with all applicable privacy laws
2 and regulations.

3 “(6) DEFINITIONS.—In this subsection:

4 “(A) The terms ‘elementary school’, ‘local
5 educational agency’, ‘middle grades’, ‘secondary
6 school’, and ‘State educational agency’ have the
7 meanings given to those terms in section 8101
8 of the Elementary and Secondary Education
9 Act of 1965.

10 “(B) The term ‘parent’ shall have the
11 meaning given such term for purposes of the
12 McKinney-Vento Homeless Assistance Act (42
13 U.S.C. 11301 et seq.).

14 “(C) The term ‘school personnel’ includes
15 school resource officers, school nurses, school
16 counselors, school principals, school administra-
17 tors, and other school leadership personnel.”;
18 and

19 (3) in subsection (k) (authorizing appropria-
20 tions), as redesignated by paragraph (1)—

21 (A) by striking “There is authorized to be
22 appropriated to carry out this section” and in-
23 serting the following:

1 “(1) IN GENERAL.—There is authorized to be
2 appropriated to carry out this section (other than
3 subsection (j))”; and

4 (B) by adding at the end the following:

5 “(2) DEMONSTRATION PROJECT FUNDING.—
6 There is authorized to be appropriated to carry out
7 subsection (j) \$15,000,000 for each of fiscal years
8 2020 through 2024.”.