

116TH CONGRESS
2D SESSION

S. 3333

To amend the Public Health Service Act to provide for the implementation of curricula for training students, teachers, 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

FEBRUARY 25, 2020

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, Ms. SINEMA, and Ms. HARRIS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to provide for the implementation of curricula for training students, teachers, 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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

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

20 (A) children in the child welfare and juve-
21 nile justice systems;

22 (B) runaway youth;

23 (C) homeless youth;

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

26 (E) unaccompanied children;

- 1 (F) American Indians and Alaska Natives;
- 2 (G) migrant laborers, including undocu-
- 3 mented workers and individuals with temporary
- 4 visas;
- 5 (H) recent migration or relocation;
- 6 (I) persons with disabilities;
- 7 (J) LGBTI individuals;
- 8 (K) people of color;
- 9 (L) those with limited-English proficiency;
- 10 (M) low literacy;
- 11 (N) substance abuse;
- 12 (O) mental health issues;
- 13 (P) past trauma or violence;
- 14 (Q) stigma or discrimination;
- 15 (R) family conflict, disruption, or dysfunc-
- 16 tion;
- 17 (S) community-level risk factors such as
- 18 peer pressure, social norms, social isolation,
- 19 gang involvement, and living in an under-
- 20 resourced school, neighborhood, or community;
- 21 and
- 22 (T) society-level risk factors such as lack
- 23 of awareness of commercial exploitation and
- 24 human trafficking, sexualization of children,
- 25 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 quenting 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, AND SCHOOL PERSONNEL TO UN-
14 DERSTAND, RECOGNIZE, PREVENT, AND RESPOND TO
15 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 that are eligible for
21 grants under paragraph (4) in developing prop-
22 er protocols and procedures to—

23 “(i) work with law enforcement to re-
24 port, and facilitate communication with,

1 human trafficking survivors and exploited
2 children; and

3 “(ii) refer human trafficking survivors
4 and exploited children to appropriate social
5 or survivor service agencies or organiza-
6 tions.

7 “(3) VENDORS.—

8 “(A) IN GENERAL.—In carrying out the
9 demonstration project under this subsection,
10 the Director shall approve a list of nonprofit or-
11 ganizations as verified vendors—

12 “(i) to develop or make available cur-
13 ricula for the training described in para-
14 graph (1); and

15 “(ii) to implement such training in ac-
16 cordance with such curricula.

17 “(B) CONSIDERATIONS.—In approving
18 vendors under this subsection, the Director
19 shall give consideration to whether the non-
20 profit organization—

21 “(i) engages stakeholders, including
22 survivors of human trafficking, and Fed-
23 eral, State, local, and Tribal partners, to
24 develop the curricula; and

1 “(ii) has a demonstrated expertise
2 in—

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

10 “(II) training students, teachers,
11 or school personnel described in para-
12 graph (1); and

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

18 “(4) GRANTS.—

19 “(A) IN GENERAL.—In carrying out the
20 demonstration project under this subsection,
21 the Director shall award grants to eligible enti-
22 ties to implement the training described in
23 paragraph (1) in accordance with the curricula
24 developed and made available by verified ven-
25 dors pursuant to paragraph (3).

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

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

12 “(ii) consult, as appropriate, with the
13 Secretary of Education, the Secretary of
14 Housing and Urban Development, the Sec-
15 retary of Labor, and the Attorney General
16 of the United States to identify the geo-
17 graphic areas in the United States with
18 the highest prevalence of at risk, vulner-
19 able, or underserved populations, including
20 homeless youth, foster youth, youth in-
21 volved in the child welfare system, and
22 runaways; and

23 “(iii) give priority to eligible entities
24 located in, or primarily serving, one or

1 more areas identified pursuant to clause (i)
2 or (ii).

3 “(C) ALLOCATION OF GRANT FUNDING.—

4 The Director shall ensure that—

5 “(i) 40 percent of the grant funds
6 under this subsection are awarded to appli-
7 cants to serve elementary school students
8 and teachers;

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

13 “(iii) 20 percent of the grant funds
14 under this subsection are awarded to appli-
15 cants to serve high school students and
16 teachers.

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

22 “(5) DATA COLLECTION AND REPORTING.—

23 “(A) IN GENERAL.—The Director shall
24 collect, and report to the Congress, data on the
25 following:

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

3 “(ii) The total number of elementary
4 and secondary schools that established
5 proper protocols and procedures through
6 program development.

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

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

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

22 “(vi) The number of students in ele-
23 mentary school or secondary school identi-
24 fied by vendors and grantees under this
25 subsection as being at risk of being traf-

1 ficked or exploited, excluding any individ-
 2 ually identifiable information about such
 3 survivors.

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

11 “(viii) Any best practices identified by
 12 the grantees under this subsection.

13 “(B) ANNUAL REPORT.—The Director
 14 shall—

15 “(i) submit a report under subpara-
 16 graph (A) not later than 1 year after the
 17 date of enactment of this subsection and
 18 annually thereafter; and

19 “(ii) prepare and submit each such re-
 20 port in a manner that prevents the disclo-
 21 sure of individually identifiable information
 22 consistent with all applicable privacy laws
 23 and regulations.

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

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

“(B) The term ‘school personnel’ includes school resource officers, school nurses, school counselors, school principals, school administrators, and other school leadership.”; and

(3) in subsection (k) (authorizing appropriations), as redesignated by paragraph (1)—

(A) by striking “There is authorized to be appropriated to carry out this section” and inserting the following:

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

(B) by adding at the end the following:

“(2) DEMONSTRATION PROJECT FUNDING.—There is authorized to be appropriated to carry out subsection (j) \$15,000,000 for each of fiscal years 2021 through 2025.”.

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