

117TH CONGRESS
1ST SESSION

S. 2136

To amend the Public Health Service Act to provide for the implementation of curricula for training students, teachers, parents, and school and youth development 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

JUNE 17, 2021

Ms. MURKOWSKI (for herself and Ms. SMITH) 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, parents, and school and youth development 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 2021”.

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
7 include 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, DC. 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 and
4 youth development personnel to understand, recog-
5 nize, and respond to signs of human trafficking and
6 exploitation in children and youth is invaluable in
7 the effort to identify and prevent human trafficking
8 and exploitation before it occurs. According to the
9 National Human Trafficking Resource Center, the
10 widespread lack of awareness and understanding of
11 human trafficking leads to low levels of survivor
12 identification by the people who most often encoun-
13 ter them. Survivors of human trafficking are often
14 forced to work or provide commercial sex against
15 their will in legal and legitimate business settings or
16 underground markets. It is often the case that those
17 who are being exploited or trafficked are in plain
18 view and may interact with community members,
19 underscoring the urgent need for the expansion of
20 training programs to increase awareness and preven-
21 tion activities in communities across the United
22 States.

1 **SEC. 3. DEMONSTRATION PROJECT TO TRAIN STUDENTS,**
 2 **TEACHERS, AND SCHOOL AND YOUTH DEVEL-**
 3 **OPMENT PERSONNEL TO UNDERSTAND, REC-**
 4 **OGNIZE, PREVENT, AND RESPOND TO SIGNS**
 5 **OF HUMAN TRAFFICKING AND CHILD EX-**
 6 **PLOITATION.**

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

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

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

13 “(j) DEMONSTRATION PROJECT TO TRAIN STU-
 14 DENTS, TEACHERS, PARENTS, AND SCHOOL AND YOUTH
 15 DEVELOPMENT PERSONNEL TO UNDERSTAND, RECOG-
 16 NIZE, PREVENT, AND RESPOND TO SIGNS OF HUMAN
 17 TRAFFICKING AND CHILD EXPLOITATION.—

18 “(1) IN GENERAL.—The Director of the Office
 19 on Trafficking in Persons of the Administration for
 20 Children and Families (in this subsection referred to
 21 as the ‘Director’) shall carry out a demonstration
 22 project for training students, teachers, school per-
 23 sonnel at elementary schools and secondary schools,
 24 and other education personnel including community-
 25 based partners, and afterschool or summer learning
 26 program staff, to understand, recognize, prevent,

1 and respond to signs of human trafficking and ex-
2 ploitation in children and youth.

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

6 “(A) approve vendors pursuant to para-
7 graph (3);

8 “(B) award grants pursuant to paragraph
9 (4);

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

22 “(D) assist entities, in conjunction with
23 the appropriate State, Federal, and Tribal part-
24 ners, that are eligible for grants under para-

graph (4) in developing proper protocols and procedures—

“(i) that may allow such entities to work with law enforcement to report, and facilitate communication with, human trafficking survivors and exploited children; and

“(ii) to refer human trafficking survivors and exploited children to appropriate social or survivor service agencies or organizations.

“(3) VENDORS.—

“(A) IN GENERAL.—In carrying out the demonstration project under this subsection, the Director shall approve a list of nonprofit organizations as verified vendors—

“(i) to develop or make available curricula for the training described in paragraph (1); and

“(ii) to implement such training in accordance with such curricula.

“(B) CONSIDERATIONS.—In approving vendors under this subsection, the Director shall give consideration to whether the nonprofit organization—

1 “(i) engages stakeholders, including
 2 survivors of human trafficking, and Fed-
 3 eral, State, local, and Tribal partners, to
 4 develop the curricula; and

5 “(ii) has a demonstrated expertise
 6 in—

7 “(I) developing age-appropriate,
 8 culturally competent, and gender-re-
 9 sponsive human trafficking and ex-
 10 ploitation prevention curricula for stu-
 11 dents, teachers, parents, or school
 12 personnel in elementary school and
 13 secondary school or community-based
 14 after school or learning programs;

15 “(II) training students, teachers,
 16 parents, or school and youth develop-
 17 ment personnel described in para-
 18 graph (1); and

19 “(III) creating a scalable, repeat-
 20 able program that employs appro-
 21 priate technology tools and methodolo-
 22 gies, including measurement and
 23 training curricula.

24 “(4) GRANTS.—

1 “(A) IN GENERAL.—In carrying out the
2 demonstration project under this subsection,
3 the Director shall award grants to eligible enti-
4 ties to implement the training described in
5 paragraph (1) in accordance with the curricula
6 developed and made available by verified ven-
7 dors pursuant to paragraph (3).

8 “(B) DIVERSITY OF GRANTS.—In award-
9 ing grants under this subsection, the Director
10 shall—

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

19 “(ii) consult with the Secretary of
20 Education, the Attorney General, and as
21 appropriate, with the Secretary of Housing
22 and Urban Development, the Secretary of
23 Labor, and relevant agencies to identify
24 the geographic areas in the United States
25 with the highest prevalence and numbers

1 of at risk, vulnerable, or underserved popu-
2 lations, including homeless youth, foster
3 youth, youth involved in the child welfare
4 system, and runaways; and

5 “(iii) give priority to eligible entities
6 located in, or primarily serving, one or
7 more areas identified pursuant to clause (i)
8 or (ii).

9 “(C) ALLOCATION OF GRANT FUNDING.—

10 The Director shall ensure that—

11 “(i) 30 percent of the grant funds
12 under this subsection are awarded to appli-
13 cants to serve elementary school students
14 and teachers;

15 “(ii) 40 percent of the grant funds
16 under this subsection are awarded to appli-
17 cants to serve middle grades students and
18 teachers; and

19 “(iii) 30 percent of the grant funds
20 under this subsection are awarded to appli-
21 cants to serve high school students and
22 teachers.

23 “(D) DEFINITION.—In this paragraph, the
24 term ‘eligible entity’ includes a nonprofit orga-
25 nization, an elementary school, a local edu-

1 cational agency, a secondary school, a State
2 educational agency, an Indian Tribe, or a Trib-
3 al organization (as such terms are defined for
4 purposes of the Indian Self-Determination and
5 Education Assistance Act).

6 “(5) DATA COLLECTION AND REPORTING.—

7 “(A) IN GENERAL.—The Director shall
8 collect, and report to the Congress, data on the
9 following:

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

12 “(ii) The total number of elementary
13 and secondary schools and community-
14 based learning environments that estab-
15 lished proper protocols and procedures
16 through program development.

17 “(iii) The total number and geo-
18 graphic distribution of students, teachers,
19 and school and youth development per-
20 sonnel trained pursuant to this subsection.

21 “(iv) The results of pretraining and
22 posttraining surveys to gauge increased
23 understanding and recognition of signs of
24 human trafficking and exploitation in chil-
25 dren and youth.

1 “(v) The number of human trafficking
2 survivors and exploited children identified
3 and served by vendors and grantees under
4 this subsection, excluding any individually
5 identifiable information about such sur-
6 vivors and children.

7 “(vi) The number of students in ele-
8 mentary school or secondary school identi-
9 fied by vendors and grantees under this
10 subsection as being at risk of being traf-
11 ficked or exploited, excluding any individ-
12 ually identifiable information about such
13 survivors.

14 “(vii) The demographics of human
15 trafficking survivors, exploited children,
16 and students at risk of being trafficked or
17 exploited described in clauses (v) and (vi),
18 excluding any individually identifiable in-
19 formation about such survivors, children,
20 and students.

21 “(viii) Any best practices identified by
22 the grantees under this subsection.

23 “(B) ANNUAL REPORT.—The Director
24 shall—

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

5 “(ii) prepare and submit each such re-
6 port in a manner that prevents the dislo-
7 sure of individually identifiable information
8 consistent with all applicable privacy laws
9 and regulations.

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

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

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

21 “(C) The term ‘school personnel’ includes
22 school resource officers, school nurses, school
23 counselors, school principals, school administra-
24 tors, and other school leadership personnel.

1 “(D) The term ‘trafficking’ has the mean-
 2 ing given such term for purposes of the Traf-
 3 ficking Victims Protection Act of 2000 (22
 4 U.S.C. 7101 et seq.).

5 “(E) The term ‘youth development per-
 6 sonnel’ includes staff from youth development,
 7 community-based organizations, including after
 8 school or summer learning programs.”; and

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

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

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

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

18 “(2) DEMONSTRATION PROJECT FUNDING.—
 19 There is authorized to be appropriated to carry out
 20 subsection (j) \$15,000,000 for each of fiscal years
 21 2021 through 2025.”.

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