

# **National Advisory Committee on the Sex Trafficking of Children and Youth in the United States (NAC) Recommendations and State Self- Assessment Survey**

**OMB Information Collection Request  
0970 - NEW**

## **Supporting Statement Part A - Justification**

**September 2020**

Submitted By:  
Office on Trafficking in Persons  
Administration for Children and Families  
U.S. Department of Health and Human Services

## SUPPORTING STATEMENT A – JUSTIFICATION

### 1. Circumstances Making the Collection of Information Necessary

The National Advisory Committee on the Sex Trafficking of Children and Youth in the United States (the Committee) was established in January 2017, as authorized by the Preventing Sex Trafficking and Strengthening Families Act of 2014 ([P.L. 113–183](#)). The Committee is responsible for developing two reports ([42 U.S.C. § 1314b\(d\)\(3\)](#)):

- A compilation of two tiers of recommended best practices for states to follow to combat the sex trafficking of children and youth (publication target, 2020)
- A description of what each state has done to implement the recommendations (publication target, 2022)

The Committee, with the support of the Office on Trafficking in Persons (OTIP), Administration for Children and Families (ACF), U.S. Department of Health and Human Services (HHS), is requesting to collect data to understand progress made by U.S. states toward implementing the Committee’s recommendations in their interim report published in September 2020, “Best Practices and Recommendations for States.”

### 2. Purpose and Use of the Information Collection

This request is a new information collection. OTIP, on behalf of the Committee, is requesting to collect data from states on their efforts to address and implement recommendations made by the Committee. The Committee, with the support of OTIP, seeks to administer a survey that will allow states to provide a self-assessment of their efforts related to: Multidisciplinary Response, Screening and Identification, Child Welfare, Service Provision, Housing, Law Enforcement and Prosecution, Judiciary, Demand Reduction, Prevention, Legislation and Regulation, Research and Data, and Funding. Respondents will have the opportunity to self-assign a tier ranking corresponding to their state’s efforts to meet each recommendation, a justification for their ranking, sources used to inform their assessment, and the public or private nature of those sources. Respondents will include governors, law enforcement agencies, prosecutors, courts, child welfare agencies, Tribal Leaders, and other local agencies and relevant personnel.

The Committee will use the data collected to continue to:

- Assess state efforts and progress toward implementing the Committee’s recommendations
- Advise states on how to continue to develop and implement successful interventions with children and youth who are exposed to conditions that make them vulnerable to, or victims of, sex trafficking

- Share information with Congress, other federal agencies, governors, law enforcement agencies, prosecutors, courts, child welfare agencies, the public, Tribes, other countries and international bodies, and other relevant groups on the Nation’s response to the sex trafficking of children and youth in the United States and how that response can be strengthened.

### **3. Use of Improved Information Technology and Burden Reduction**

Each state will designate a primary respondent who will be responsible for collaborating with governors, law enforcement agencies, prosecutors, courts, child welfare agencies, and other local agencies and relevant groups to provide their self-assessment of their state’s implementation efforts. The primary respondent will aggregate information and submit their response to the Committee and OTIP electronically through a web-based survey instrument hosted on Max.gov leveraging LimeSurvey software. This software solution will allow OTIP to design a fully customizable survey instrument with a user-friendly interface for respondents. The software allows for survey graphics, complex branching, multiple question formats, and features built-in dynamic reporting and exporting functionality. To the maximum extent practicable, the survey will be structured to mitigate respondent fatigue (e.g. survey will feature skip logic and page jumping tools that will allow respondents to save their progress and return later to edit answers).

### **4. Efforts to Identify Duplication and Use of Similar Information**

The data to be collected relates to state efforts to implement the recommendations articulated in the Committee’s September 2020 report, “Best Practices and Recommendations for States.” The Committee is the only advisory body of its kind, established and as authorized by the Preventing Sex Trafficking and Strengthening Families Act of 2014 ([P.L. 113–183](#)) and is the only body to collect this information, so there is no duplication.

### **5. Impact on Small Businesses or Other Small Entities**

Not applicable.

### **6. Consequences of Collecting the Information Less Frequently**

The Preventing Sex Trafficking and Strengthening Families Act of 2014 ([P.L. 113–183](#)) requires the Committee to submit a report to the Secretary and the Attorney General providing a description of what each State has done to implement the recommendations of the Committee within three years of the Committee’s establishment. This data collection effort will only be conducted once.

### **7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5**

There are no special circumstances relating to the Guidelines of 5 CFR 1320.5 applicable to this data collection effort.

## **8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency**

In accordance with the Paperwork Reduction Act of 1995 ([P.L. 104-13](#)) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 ([60 FR 44978](#), August 29, 1995), ACF published a notice in the Federal Register announcing the agency's intention to request an OMB review of this information collection activity. This notice was published on **April 10, 2020**, [85 FR 20280](#), document number 2020-07554, page 20280, and provided a sixty-day period for public comment. The Department specifically requested comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. During the notice and comment period, two responses were received, which are attached.

The comments received by ACF relate most directly to the [preliminary recommendations](#) released by the Committee on January 17, 2020 and not the data collection effort or corresponding instrument. Respondents suggested: specifying that recommendations are specifically related to trafficking of children and youth throughout the report, broadening the scope of the recommendations to include labor trafficking, and centering primary prevention strategies that to ensure child protective services throughout the United States are well funded in order to provide comprehensive, wrap around services for families facing adversity before abuse and exploitation occur; trauma-informed care for youth in their care; reduced social worker caseloads; training on trafficking for foster parents and staff at group homes; and participation in multidisciplinary teams. The Committee updated language throughout the preliminary report to address these suggestions. The data collection instrument language did not need to be updated.

## **9. Explanation of Any Payment or Gift to Respondents**

Not applicable.

## **10. Assurance of Confidentiality Provided to Respondents**

Each question in the survey corresponds with a recommendation. For each recommendation, respondents will have the opportunity to self-assign a tier ranking corresponding to their state's efforts to meet each recommendation, a justification for their ranking, sources used to inform their assessment, and the public or private nature of those sources. Respondents will

indicate, for each recommendation, whether the Committee can share their response and corresponding data source with the public. Survey results will be made available to the public in the aggregate unless a respondent elects not to share their response (part d. of each question, see example below).

**Sample Question/Recommendation 1. Train members of the multidisciplinary teams (MDT) on the goals, principles, and protocols of MDT collaboration. A shared understanding of the protocol and recurring training is imperative to ensure that children and youth who experience trafficking receive needed services and a continuum of care.**

*Tier I: Document that at least 25 percent of MDT members have received training.*

*Tier II: Document that at least 75 percent of MDT members have received training.*

- a. Select the tier that best describes the efforts of your state. [Tier I, Tier II, N/A]\*
- b. Describe the process used to assess your state tier. [open text]
- c. Provide the data source(s) for this assessment. [open text]\*
- d. May the Committee share your data source(s) with the public? [Yes, No]\*

**11. Justification for Sensitive Questions**

Not applicable.

**12. Estimates of Annualized Burden Hours and Costs**

As noted in A3, each state will be responsible for collaborating with governors, law enforcement agencies, prosecutors, courts, child welfare agencies, and other local agencies and relevant groups to provide their self-assessment of their state’s implementation efforts. We have calculated the opportunity burden, below, assuming 5 respondents for each state:

<b>Table 1. Opportunity Burden</b>					
<b>Instrument</b>	<b>Total Number of Respondents Contributing for 50 States</b>	<b>Total Number of Responses Per Respondent</b>	<b>Average Burden Hours Per Response</b>	<b>Total/Annual Burden Hours</b>	<b>Total/Annual Cost</b>
NAC Recommendations and State Self-Assessment Survey	250	1	6.85	1,713	\$61,017.06
<b>Estimated Opportunity Burden Totals:</b>				<b>1,713</b>	<b>\$61,017.06</b>

**Description of costs for Social and Human Services Assistants with 1,713 total estimated hours of burden:**

The cost to respondents was calculated using the Bureau of Labor Statistics (BLS) job code for Social and Human Services Assistants [21-1093] and wage data from May 2019, which is \$17.81 per hour. To account for fringe benefits and overhead the rate was multiplied by two which is \$35.62. The estimated annual cost to respondents for an estimated total burden of 1,713 hours is \$35.62 times 1,713 hours or \$61,017.06.

<https://www.bls.gov/oes/current/oes211093.htm>

States will also have one designated point of contact responsible for aggregating information and submitting the state response to the Committee and OTIP through the Max.gov survey. We have calculated the associated recordkeeping burden estimate, below:

<b>Table 2. Recordkeeping Burden</b>					
<b>Instrument</b>	<b>Total Number of Respondents</b>	<b>Total Number of Responses per Respondent</b>	<b>Average Burden Hours Per Response</b>	<b>Total/Annual Burden Hours</b>	<b>Total/Annual Cost</b>
NAC Recommendations and State Self-Assessment Survey	50	1	40	2,000	\$71,240
<b>Estimated Recordkeeping Burden Totals:</b>				<b>2,000</b>	<b>\$71,240</b>

**Description of costs for Social and Human Services Assistants with 40 total estimated hours of burden:**

The cost to record keepers was calculated using the Bureau of Labor Statistics (BLS) job code for Social and Human Services Assistants [21-1093] and wage data from May 2019, which is 17.81 per hour. To account for fringe benefits and overhead the rate was multiplied by two which is \$35.62. The estimated annual cost to 50 record keepers for an estimated total recordkeeping burden of 40 hours is (\$35.62 times 40 hours) times 50 individuals or \$71,240.

<https://www.bls.gov/oes/current/oes211093.htm>

**13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers**

There are no other costs to respondents and record keepers.

**14. Annualized Cost to the Federal Government**

State responses will be reviewed by salaried staff who conduct research and data collection efforts as part of their regular work. ACF anticipates that the review, cleansing, and analysis of the information reported by state respondents will cost \$46.00 per hour (job code 15-2041,

mean hourly wage data from May 2019) and will take 130 hours, resulting in an annual cost of \$5,980. An additional 40 hours will be spent by the federal staff to review and discuss the submissions with the Committee at \$42.16 per hour (job code 19-3099, mean hourly wage data from May 2019) resulting in an annual total of \$1,686.40. The total annual cost to the federal government is \$7,666.40 in staff time.

**15. Explanation for Program Changes or Adjustments**

This is a new information collection.

**16. Plans for Tabulation and Publication and Project Time Schedule**

States will be expected to submit their responses within a month of the survey distribution date. States will be granted 30-day extensions, as needed. The Committee is seeking approval for a one year data collection period. ACF will aggregate responses and data received to provide summary statistics describing state efforts toward implementing the Committee's recommendations and to ascertain patterns. Summary findings will be presented in briefings, infographics, fact sheets, and a federal report with a publication target of FY2022.

**17. Reason(s) Display of OMB Expiration Date is Inappropriate**

Not applicable.

**18. Exceptions to Certification for Paperwork Reduction Act Submissions**

No exceptions are necessary for this information collection.