

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
0970-0560**

Supporting Statement Part A - Justification

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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 the development of the following ([42 U.S.C. § 1314b\(d\)\(3\)](#)):

- 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 continue 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](#).” Following the release of the Committee’s interim report, each state was asked to assess the extent to which they have worked to address the sex trafficking of children and youth by completing the National Advisory Committee on the Sex Trafficking of Children and Youth in the United States (NAC) Recommendations and State Self-Assessment Survey (0970-0560, approved February 2021). Given ongoing challenges imposed by the SARS-CoV-2, the novel coronavirus that causes COVID-19, many states have requested more time to complete the survey. As a result, ACF is requesting an extension to continue use of the approved information collection to collect information necessary to allow the Committee to develop the mandated report. No changes are proposed.

2. Purpose and Use of the Information Collection

OTIP, on behalf of the Committee, is requesting to continue to collect data from states on their efforts to address and implement recommendations made by the Committee. The Committee, with the support of OTIP, is administering a survey that allows 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 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.

After states provide their survey responses, the Committee will publish a final report describing the efforts of each state to implement their recommendations.

The NAC Recommendations and State Self-Assessment Survey collection was initially approved by OMB on 2/4/2021. The survey was launched via Max.gov on 3/23/2021 with a response deadline of 6/23/2021. The purpose of this extension request is to provide state with additional time to allow for collaboration and compilation of their responses.

3. Use of Improved Information Technology and Burden Reduction

Each state has designated a primary respondent 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. OTIP designed 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 was structured to mitigate respondent fatigue (e.g. survey features skip logic and page jumping tools that allows respondents to save their progress and return later to edit answers).

4. Efforts to Identify Duplication and Use of Similar Information

The NAC is the only advisory body of its kind, established and authorized by the Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113-183). The Act requires the Committee to develop a report describing how each state has implemented its recommendations to address the sex trafficking in children and youth. The NAC survey is

intended to gather insights on what is happening in each of the 50 states and the extent to which state efforts meet the Committee’s recommendations.

ACF has funded another study, the Identifying and Addressing Human Trafficking in Child Welfare Agencies (IAHT) study¹ which will collect data on a similar timeline to the NAC study. The two study teams have and will continue to collaborate to ensure information collected is not unnecessarily duplicative and that burden is minimized. While these two collections are both focused, at least in part, on the child welfare response to the sex trafficking of children and youth in the United States, there are several notable differences in the data to be collected and the potential respondents involved.

The NAC survey asks states to assess their progress toward the Committee’s recommendations as they relate to twelve different focus areas—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 and sustainability. The Committee is statutorily required to assess the response to the sex trafficking of children and youth in all 50 states. The survey will be sent to state governors, who will then be asked to coordinate with appropriate points of contact within their state to develop their response. The Committee does not and cannot prescribe who the governors reach out to in order to develop their responses. It is very likely that the contributing respondents from one state will be entirely different individuals than those from another state (in terms of office, title, role, responsibility). Respondents from each of the 50 states are asked the same questions and to assess their efforts against quantitative measures, where possible.

By contrast, the IAHT study team will select state human trafficking coordinators from 25 states to participate in in-depth qualitative interviews. Based on the information obtained, the IAHT study team will then interview local human trafficking coordinators, casework supervisors, and caseworkers from eight of the 25 participating states. The IAHT study questions focus specifically on child welfare efforts to identify both sex and labor trafficking, and subsequent service delivery of specialized services for children identified as trafficking victims or at high risk of trafficking. The IAHT study is designed so that each interview builds on the previous interview, and each question builds on questions within the interview, in order to fully answer the research questions, so respondents will not provide the exact same information in each interview. Because the IAHT study is qualitative in nature, the insights will be highly valuable but questions asked over the course of interviews may not yield information that would equip respondents to be fully responsive to the NAC survey. We recognize that the information requested from the 25 states selected for IAHT study may partially inform states’ responses to some of the questions on the NAC survey, but these efforts will not duplicate information requested or received.

¹ For information about the IAHT study, visit: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202010-0970-002

In an effort to minimize respondent burden, both ACF teams have been in regular communication with each other. The IAHT study team has shared with the NAC survey team (the Committee with support from OTIP and NHTTAC) the states selected for inclusion in the IAHT study, allowing both of our teams to coordinate closely and to minimize burden if there is indeed overlap with any respondents. The Committee references the IAHT study in its communications, outreach, and training and technical assistance (T/TA) to the 25 states selected for participation to let them know that it may be beneficial for them to take both collections into account when developing their responses, if collection timelines are in alignment. Additionally, the IAHT study team has trained their field staff on how to respond to questions related to both collections. To date, no respondent has been identified as participating in both collections. Our study teams remain in contact.

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.

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 renew this information collection activity. This notice was published on **August 12, 2021**, [86 FR 44371](#), document number 2021-17236, page 44371-44372, and provided a sixty-day period for public comment. No comments were received.

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 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

Table 1. Opportunity Burden						
Instrument	Total Number of Respondents Contributing for 50 States	Total Number of Responses Per Respondent	Average Burden Hours Per Response for Individuals in States	Average Burden Hours Per State Response	Total Burden Hours Per Individual	Total Opportunity Cost
NAC Recommendations and State Self-Assessment Survey	250	1	6.85	34.25	1,713	\$62,969.88
Estimated Opportunity Burden and Cost Total:					1,713	\$62,969.88

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 2020, which is \$18.38 per hour. To account for fringe benefits and overhead the rate was multiplied by two which is \$36.76. The estimated annual cost to respondents for an estimated total burden of 1,713 hours is \$36.76 times 1,713 hours or \$62,969.88

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

States will 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.

Table 2. Recordkeeping Burden					
Instrument	Total Number of Respondents Contributing for 50 States	Total Number of Recordkeepers Per State	Average Recordkeeping Burden Hours Per Recordkeeper/ Individual State Response	Total/Annual Burden Hours	Total/Annual Cost
NAC Recommendations and State Self-Assessment Survey	50	1	40	2,000	\$71,240
Estimated Recordkeeping Burden Totals:				2,000	\$73,520

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

The cost to recordkeepers was calculated using the Bureau of Labor Statistics (BLS) job code for Social and Human Services Assistants [21-1093] and wage data from May 2020, which is 18.38 per hour. To account for fringe benefits and overhead the rate was multiplied by two which is \$36.76. The estimated annual cost to 50 recordkeepers for an estimated total recordkeeping burden of 40 hours is (\$36.76 times 40 hours) times 50 individuals or \$73,520 <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 \$46.72 per hour (job code 15-2041, mean hourly wage data from May 2020) and will take 130 hours, resulting in an annual cost of \$6,073.60 An additional 40 hours will be spent by the federal staff to review and discuss the submissions with the Committee at \$43.88 per hour (job code 19-3099, mean hourly wage data from May 2020) resulting in an annual total of \$1,755.20. The total annual cost to the federal government is \$7,828.80 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

The survey was launched via Max.gov on 3/23/2021 with a response deadline of 6/23/2021. Given ongoing challenges imposed by the SARS-CoV-2, the novel coronavirus that causes COVID-19, many states requested more time to complete the survey. The Committee is seeking approval for renewal of the collection (or another one year data collection period). The Committee has been in touch with states requesting additional time to submit their response and expects most responses to be received by the end of October 2021, however there are a handful of states that may require additional time to compile their responses. 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 January 2022.

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.