



July 12, 2007

TO: The Secretary
Through: OS _____
COS _____
ES _____

FROM: Director, Centers for Disease Control and Prevention, and Administrator,
Agency for Toxic Substances and Disease Registry

SUBJECT: Request to Renew Memorandum of Understanding Between the U.S.
Department of Health and Human Services (HHS) and the U.S. Environmental
Protection Agency (EPA) – ACTION

ISSUE

Requesting approval to renew a Memorandum of Understanding (MOU) between the Department of Health and Human Services (HHS) and the Environmental Protection Agency (EPA) to continue to coordinate their policies and activities in support of HHS/Centers for Disease Control and Prevention’s (CDC) National Environmental Public Health Tracking Network (NEPHTN) and EPA’s National Environmental Information Exchange Network (NEIEN).

DISCUSSION

The U.S. Congress appropriated funding to CDC in Fiscal Year (FY) 2002 to develop a National Environmental Public Health Tracking Network (Tracking Network). The CDC Tracking Program, with the Tracking Network as its cornerstone, is CDC’s response to calls for better understanding of how the environment can affect people’s health. Environmental public health tracking involves the ongoing collection, integration, analysis, interpretation, and dissemination of data from environmental hazard monitoring, human exposure assessment, and surveillance of non-infectious health conditions. The Tracking Network, when operational in FY2008, will provide the means to identify, access, and organize hazard exposure, and health data from a variety of sources and to examine, link, and analyze those data based on their spatial and temporal characteristics. The Tracking Network is a standards-based, secure information network that will ultimately be supported and used by many entities, including local, state, and other federal agencies including EPA. Levels of access to data on the Tracking Network will vary among stakeholders depending on their role and purpose in order to comply with federal and state privacy rules for health or other information. CDC’s National Tracking Program is establishing the Tracking Network by drawing on a wide range of partners with expertise from

federal, state, and local health and environmental agencies; non-governmental organizations (NGOs); state public health and environmental laboratories; and Schools of Public Health. Currently, CDC funds 16 states and New York City to develop state and local tracking networks as components of the national network. For the last eight years, EPA and the Environmental Council of the States have initiated and deployed NEIEN to improve the way that EPA, states, tribes, and territories exchange and manage environmental data. NEIEN promotes access to and exchange of quality environmental data while reducing reporting burden and increasing the efficiency of data exchanges. With the use of specified templates, exchange agreements, and common standards, NEIEN establishes a means for states and others to manage data to meet their needs while also meeting EPA's reporting requirements. NEIEN is expected to ultimately replace the traditional approach to information exchange that requires states to feed data directly into multiple EPA national systems. NEIEN will also facilitate transparent and secure data exchanges that support specific analyses, such as the use of indicators for measuring environmental results.

The original MOU served to create a framework for developing and improving HHS and EPA's cooperative working relationships by taking collaborative action in support of both CDC's Tracking Network and EPA's NEIEN. The renewed MOU will build on the achievements of the past five years and reflects the most successful aspects of collaboration to date.

RECOMMENDATION

That the Secretary sign the attached MOU at Tab A.

DECISION

Approved Michael O. Leavitt Disapproved _____ Date Sep. 14, 2007

Julie Louise Gerberding, MD, MPH

Attachments:

Tab A: MOU

Tab B: Original MOU

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
AND THE
U.S. ENVIRONMENTAL PROTECTION AGENCY

I. Purpose

This Memorandum of Understanding (MOU) serves to set forth the authorities, responsibilities, and procedures under which the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Health and Human Services (HHS) will seek jointly to advance efforts to achieve mutual environmental public health goals and, in doing so, strengthen the bridge between the environmental and public health communities. In achieving that goal, an expected outcome will be a better understanding of the linkages between environmental hazards, ensuing human exposure, and potential health outcomes so as to better inform environmental and public health policies/decisions and improving the ability to assess the efficacy of such policies and decisions.

As a cornerstone of this collaborative commitment, EPA and HHS intend to take advantage of ongoing, cross-institutional initiatives to develop and link environmental health information sources, namely the EPA National Environmental Information Exchange Network (NEIEN) and the Centers for Disease Control and Prevention's (CDC) National Environmental Public Health Tracking Network (Tracking Network). The linkage of these two systems is expected to utilize and enhance information technology tools to advance the analysis and dissemination of information obtained to various audiences. This joint effort between EPA and HHS also has the potential to increase environmental and health infrastructure and capacity at the local, state, and national level by coordinating and integrating electronic reporting of hazard, exposure, and health data. These collaborative efforts will also help to define critical data gaps, accelerate research to develop, validate, and apply environmental and public health indicators to fill those gaps, and promote training and education opportunities, all of which are expected to lead to further improvements in the linkages of networks.

HHS and EPA will work to share timely and reliable environmental and public health data to ensure informed decision-making and appropriate response to emergency situations. EPA and HHS will make every effort to ensure that activities conducted under this MOU and those conducted through other mechanisms are coordinated, non-duplicative, and supportive of a comprehensive environmental and public health program. This MOU is intended, therefore, to establish a substantive partnership between HHS and EPA by increasing interaction and enhancing collaboration between the organizations to best serve and maintain the public's health.

II. Background

There is no doubt that the environment plays a role in human development and health. Some links between environmental exposures and disease, such as asbestos and lung cancer or lead and impaired cognitive development in children, are well-documented. Others, are suspected, but still not proven.

The 1998 report of the Institute of Medicine on *The Future of Public Health* highlighted the separation of environmental health activities from public health, which has led to “fragmented responsibility, lack of coordination, and inadequate attention to the health dimensions of environmental problems.” More recently, the need for a national environmental public health tracking network was documented by the Pew Environmental Health Commission in its September 2000 report *America’s Environmental Health Gap: Why the Country Needs a Nationwide Health Tracking Network*. The “gap” that this report describes is the lack of basic information that could document possible links between environmental pollutants and chronic and other diseases. The Pew report underscores the need for a strong tracking infrastructure that can rapidly detect and respond to disease outbreaks associated with terrorist acts.

The U.S. Congress appropriated funding to the CDC in FY2002 to develop a Tracking Network. The CDC Tracking Program, with the Tracking Network as its cornerstone, is CDC’s response to calls for better understanding of how the environment can affect people’s health. Environmental public health tracking involves the ongoing collection, integration, analysis, interpretation, and dissemination of data from environmental hazard monitoring, human exposure assessment, and surveillance of non-infectious health conditions. The Tracking Network, when operational in FY2008, will provide the means to identify, access, and organize hazard, exposure, and health data from a variety of sources and to examine, link, and analyze those data based on their spatial and temporal characteristics. The Tracking Network is a standards based, secure information network, that will ultimately be supported and used by many entities, including local, state, and other federal agencies including EPA. Levels of access to data on the Tracking Network will vary among stakeholders depending on their role and purpose in order to comply with Federal and state privacy rules for health or other information. CDC’s National Tracking Program is establishing the Tracking Network by drawing on a wide range of partners with expertise from federal, state, and local health and environmental agencies; non-governmental organizations (NGOs); state public health and environmental laboratories; and Schools of Public Health. Currently, CDC funds 16 states and New York City to develop state and local tracking networks as components of the national network.

For the last eight years, EPA and the Environmental Council of the States have initiated and deployed NEIEN to improve the way that EPA, states, tribes, and territories exchange and manage environmental data. NEIEN promotes access to and exchange of quality environmental data while reducing reporting burden and increasing the efficiency of data exchanges. With the use of specified templates, exchange agreements, and common standards, NEIEN establishes a means for states and others to manage data to meet their needs while also meeting EPA’s reporting requirements. NEIEN is expected to ultimately replace the traditional approach to information exchange that requires states to feed data directly into multiple EPA national

systems. NEIEN will also facilitate transparent and secure data exchanges that support specific analyses such as the use of indicators for measuring environmental results.

HHS and EPA recognize the importance of basing public health decisions on the best available science and increasing the science knowledge to address gaps that could influence public health decisions. Also, HHS and EPA recognize many benefits of interaction and collaboration that promote the exchange of scientific information, help identify science needs, and help direct scientific resources to the highest priority problems and opportunities.

III. Understanding

The original MOU served to create a framework for developing and improving HHS and EPA's cooperative working relationships by taking collaborative action in support of both CDC's Tracking Network and EPA's NEIEN. The renewed MOU will build on the achievements of the past five years and reflects the most successful aspects of collaboration to date.

Focus of Cooperative Activities

HHS and EPA share a mutual interest in the following issues and intend to use this MOU to expand their cooperation. HHS, acting through CDC and the Agency for Toxic Substances and Disease Registry, and EPA intend to:

- Work together and with other federal, state, and local entities in partnership for collecting, developing, and interpreting interagency environmental and public health data including coordinating with the efforts organized under the EPA, HHS MOU regarding community health and environment activities.
- Coordinate and encourage interagency collaboration for analysis and modeling tools as an important area for future activity. CDC and EPA are both involved in developing, testing, and disseminating tools for environmental health analysis and modeling. Modeling and analysis techniques are of critical importance given the significant challenges of collecting, sharing, and integrating robust environmental and health data.
- Collaborate on emerging network integration practices in an effort to share environmental and public health data between their networks. They intend to meet quarterly to discuss issues related to building, supporting, and maintaining the Tracking Networks and NEIEN.
- Collaborate on the development and validation of additional environmental public health indicators to better reflect environmental hazard, human exposure, and health outcomes and the linkages between these indicators.
- Work to share timely and reliable environmental and public health data from their respective networks and from on-going collaborative health and environmental research activities to ensure informed decision-making and appropriate response to current and emerging environment and human health trends and emergency situations.

- Consult and inform each other about the dissemination of results obtained through work carried out under this MOU to interested and affected parties.

IV. Programming, Budgeting, Funding, and Reimbursement Arrangement

- A. All commitments that EPA and HHS undertake in this agreement are subject to the availability of appropriated funds.
- B. An endeavor involving the federal funding of specific projects and activities will support activities at the state level following normal financial assistance, procurement, or other appropriate processes and shall be affected in writing by the representatives of the organizations involved.
- C. This MOU in no way restricts HHS or EPA from participating in similar activities or arrangements with other entities or federal agencies.
- D. Nothing in this MOU obligates HHS or EPA to expend appropriations, obligate funds, or enter into any grants, cooperative agreements, interagency agreements, contracts, or other agreements.
- E. This MOU is not legally binding and does not create any right or benefit, substantive or procedural, enforceable by law or equity against HHS or EPA, their officers or employees, or any other person. This MOU does not direct or apply to any person outside HHS and EPA.

V. Authorities

- A. The U.S. Department of Health and Human Services:

The Secretary of HHS has legislative authority under Section 301 of the Public Health Service Act [42 U.S.C. Section 241], and Section 104(i) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA) [42 U.S.C. Section 9604(i)], to cooperate with EPA regarding activities covered by this MOU.

- B. The U.S. Environmental Protection Agency:

The Administrator of EPA has the legislative authority to cooperate with HHS regarding coordination of environmental activities between U.S. government agencies for EPA by EPA's general program cooperation and technical assistance authorities, e.g., Section 103 of the Clean Air Act, 42 U.S.C. Section 7403; Section 104 of the Clean Water Act, 33 U.S.C. Section 1254; and Section 3001 of RCRA, 42 U.S.C. Section 6981, supplemented as appropriate by Section 102(2)(F) of the National Environmental Policy Act, 42 U.S.C. Section 4332 (2)(F).

VI. Administration of the MOU

HHS designates the following individual as the official point of contact for this MOU:

Name: Julie Louise Gerberding, MD, MPH
Title: Director, Centers for Disease Control and Prevention, and Administrator, Agency for Toxic Substances and Disease Registry
Address: 1600 Clifton Road, N.E., Mailstop D-14 Atlanta, Georgia 30333
Telephone: (404) 639-7000

EPA designates the following individual as the official point of contact for this MOU:

Name: Molly A. O'Neill
Title: Assistant Administrator for Environmental Information and Chief Information Officer, EPA
Address: Ariel Rios Federal Building
1200 Pennsylvania Avenue, N.W. Room 5000, (MC 2810A)
Washington, D.C. 20460
Telephone: (202) 564-6665

VII. Effective Date

This MOU will become effective upon signature by the HHS Secretary and EPA Administrator and will remain in effect through June 30, 2012, unless amended by mutual written consent of both parties, or cancelled. This agreement, or any of its specific provisions, may be revised or amended only by written approval of both parties. Either party may terminate this MOU upon 90 days of written notice to the other party.

VIII. Other MOUs

There are no superseding MOUs on this topic between the parties hereto.

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES

U.S. ENVIRONMENTAL PROTECTION
AGENCY

By: _____
Secretary Michael O. Leavitt

By: _____
Administrator Stephen L. Johnson

Date: September 14, 2007

Date: June 19, 2007

Tab B

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
AND THE
U.S. ENVIRONMENTAL PROTECTION AGENCY

I. Purpose

This Memorandum of Understanding (MOU) serves to set forth the authorities, responsibilities, and procedures under which the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Health and Human Services (HHS) will seek jointly to advance efforts to achieve mutual environmental public health goals and, in doing so, strengthen the bridge between the environmental and public health communities. In achieving that goal, an expected outcome will be a better understanding of the linkages between environmental hazards, ensuing human exposure, and potential health outcomes so as to better inform environmental and public health policies/decisions and improving the ability to assess the efficacy of such policies and decisions.

As a cornerstone of this collaborative commitment, EPA and HHS will take advantage of ongoing, cross-institutional initiatives to develop and link environmental health information sources, namely the EPA National Environmental Information Exchange Network (NEIEN) and the Centers for Disease and Prevention's (CDC) National Environmental Public Health Tracking Network (NEPHTN). The linkage of these two systems will utilize and enhance information technology tools to advance the analysis and dissemination of information obtained to various audiences. This joint effort between EPA and HHS also has the potential to increase environmental and health infrastructure and capacity at the local, state, and national level by coordinating and integrating electronic reporting of hazard, exposure, and health data. These collaborative efforts will also help define critical data gaps, accelerate research to develop, validate, and apply environmental and public health indicators to fill those gaps, and promote training and education opportunities, all of which will lead further improvements in the linkages of networks.

HHS and EPA will work to share timely and reliable environmental and public health data to ensure informed decision-making and appropriate response to emergency situations. EPA and HHS will make every effort to ensure that activities conducted under this MOU and those conducted through other mechanisms are coordinated, non-duplicative, and supportive of a comprehensive environmental and public health program. This MOU is intended, therefore, to establish a substantive partnership between HHS and EPA by increasing interaction and enhancing collaboration between the organizations to best serve and maintain the public's health.

II. Background

There is no doubt that the environment plays a role in human development and health. Some links between environmental exposures and disease, such as asbestos and lung cancer or lead and impaired cognitive development in children, are well-documented. Others, such as a possible link between aluminum exposure and Alzheimer's disease are suspected, but still not proven.

The 1998 report of the Institute of Medicine on *The Future of Public Health* highlighted the separation of environmental health activities from public health, which has led to "fragmented responsibility, lack of coordination, and inadequate attention to the health dimensions of environmental problems." More recently, the need for a national environmental public health tracking network was documented by the Pew Environmental Health Commission in its January 2001 report *America's Environmental Health Gap: Why the Country Needs a Nationwide Health Tracking Network*. The "gap" that this report describes is the lack of basic information that could document possible links between environmental pollutants and chronic and other diseases. The Pew report also indicates that the nation's preparedness against biological and chemical terrorism underscores the need for a strong tracking infrastructure that can rapidly detect and respond to disease outbreaks associated with terrorist acts.

Congress provided \$17.5 million in the fiscal year (FY) 2002 budget for CDC to begin development of NEPHTN, including the development of environmental health capacity at state and local health departments. The goal of environmental public health tracking is to develop a surveillance system that can integrate environmental hazards data with human exposure and health effects data that have possible links to the environment. This system will allow ongoing monitoring and dissemination of information on environmental contaminant levels and health effect trends, facilitate research, and measure the impact of regulatory and prevention strategies. An incremental approach is necessary to develop a standards-based environmental public health tracking network that allows direct electronic data reporting and linkage within and across health effect, exposure, and hazard data. CDC will fund up to 15 states and two to three Centers for Excellence in Environmental Public Health Tracking in FY 2002 to begin the steps necessary to develop the network. To achieve a nationwide network, CDC will need to work with all 50 states in developing environmental health capacity and comprehensive tracking programs.

For the last four years, EPA and the Environmental Council of the States have conceived and initiated development of NEIEN to improve the way that EPA, states, tribes, and territories exchange and manage environmental data. NEIEN promotes access to and exchange of quality environmental data while reducing reporting burden and increasing the efficiency of data exchanges. With the use of specified templates, exchange agreements, and common standards, NEIEN establishes a means for states and others to manage data to meet their needs while also meeting EPA's reporting requirements. NEIEN is expected to ultimately replace the traditional approach to information exchange that requires states to feed data directly into multiple EPA national systems. NEIEN will also facilitate transparent and secure data exchanges that support specific analyses, such as the use of indicators for measuring environmental results.

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III. Agreement

This MOU will serve to create a framework for developing and improving HHS and EPA's cooperative working relationships by taking collaborative action in support of both CDC's NEPHTN and EPA's NEIEN.

Focus of Cooperative Activities

HHS and EPA share a mutual interest in the following issues and will use this agreement to expand their cooperation. HHS, acting through CDC and the Agency for Toxic Substances and Disease Registry, and EPA will:

- Work together and with other federal, state, and local entities in partnership for collecting, developing, and interpreting interagency environmental and public health data.
- Collaborate on emerging e-commerce practices in an effort to share environmental and public health data between their networks. They will meet quarterly to discuss issues related to building, supporting, and maintaining NEPHTN and NEIEN.
- Collaborate on the development and validation of additional environmental public health indicators to better reflect environmental hazard, human exposure, and health outcomes and the linkages between these indicators.
- Work to share timely and reliable environmental and public health data from their respective networks to ensure informed decision-making and appropriate response to emergency situations.
- Consult and inform each other about the dissemination of results obtained through work carried out under this MOU to interested and affected parties.

IV. Programming, Budgeting, Funding, and Reimbursement Arrangement

- A. All commitments that EPA and HHS undertake in this agreement are subject to the availability of appropriated funds.
- B. This MOU is neither a fiscal nor a funds obligation document. Any transfer of funds between parties can take place through existing authorities.

- C. Generally, any endeavor involving the federal funding of specific projects and activities will support activities at the state or local level following normal financial assistance, procurement, or other appropriate processes and shall be affected in writing by the representatives of the organizations involved.
- D. This MOU in no way restricts HHS or EPA from participating in similar activities or arrangements with other entities or federal agencies.
- E. Nothing in this MOU shall obligate HHS or EPA to expend appropriations, obligate funds, or enter into any grants, cooperative agreements, interagency agreements, contracts, or other agreements.

V. Authorities

- A. The U.S. Department of Health and Human Services:

The Secretary of HHS has legislative authority under Section 301(a) of the Public Health Service Act (42 U.S.C. Section 241), the Comprehensive Environmental Response Compensation, and Liability Act (CERCLA), 42 U.S.C. 9604(i), to cooperate with EPA regarding activities covered by this MOU.

- B. The U.S. Environmental Protection Agency:

The Administrator of EPA has the legislative authority to cooperate with HHS regarding coordination of environmental activities between U.S. government agencies for EPA by EPA's general program cooperation and technical assistance authorities, e.g., Section 103 of the Clean Air Act, 42 U.S.C. Section 7403; Section 104 of the Clean Water Act, 33 U.S.C Section 1254; and 3001 of RCRA, 42 U.S.C. Section 6981, supplemented as appropriate by Section 102(2)(F) of the National Environmental Policy Act, 42 U.S.C. Section 4332 (2)(F).

VI. Administration of the MOU

HHS designates the following individual as the official point of contact for this MOU:

Name: Julie Louise Gerberding, MD, MPH
Title: Director, Centers for Disease Control and Prevention, and Administrator, Agency for Toxic Substances and Disease Registry
Address: 1600 Clifton Road, N.E., Mailstop D-14 Atlanta, Georgia 30333
Telephone: (404) 639-7000

EPA designates the following individual as the official point of contact for this MOU:

Name: Ms. Kim Nelson
Title: Assistant Administrator, EPA Office of Environmental Information
Address: Ariel Rios Federal Building
1200 Pennsylvania Avenue, N.W. Room 5000, (MC 2810A)
Washington, D.C. 20460
Telephone: (202) 564-6665

VII. Effective Date

This MOU will become effective upon signature by the Secretary of the Department of Health and Human Services and the Administrator of the Environmental Protection Agency and shall remain in effect through June 30, 2012, unless amended by mutual written consent of both parties, or cancelled. This agreement, or any of its specific provisions, may be revised by signature approval of both parties. Either party may terminate this MOU upon 90 days of written notice to the other party.

VIII. Other MOUs

There are no superseding MOUs on this topic between the parties hereto.

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES

U.S. ENVIRONMENTAL PROTECTION
AGENCY

By: _____
Tommy G. Thompson
Secretary

By: _____
Christine Todd Whitman
Administrator

Date: September 30, 2002