to the discount window include Edge and agreement corporations, bankers' banks that are not subject to reserve requirements, limited-purpose trust companies, government-sponsored enterprises (GSEs), and international organizations. Depository institutions that have been assigned a zero cap by their Reserve Banks are also subject to special considerations under this policy based on the risks they pose. In developing its policy for these *account holders,* the Board has sought to balance the goal of reducing and managing risk in the payments system, including risk to the Federal Reserve, with that of minimizing the adverse effects on the payments operations of these *account holders.*

Regular access to the Federal Reserve discount window generally is available to institutions that are subject to reserve requirements. If an *account holder* that is not subject to reserve requirements and thus does not have regular discount-window access were to incur a daylight overdraft, the Federal Reserve might end up extending overnight credit to that *account holder* if the daylight overdraft were not covered by the end of the business day. Such a credit extension would be contrary to the quid pro quo of reserves for regular discount-window access as reflected in the Federal Reserve Act and in Board regulations. Thus, *account holders* that do not have regular access to the discount window should not incur daylight overdrafts in their Federal Reserve accounts.

Certain *account holders* are subject to a daylight-overdraft penalty fee levied against the average daily daylight overdraft incurred by the *account holder.* These include Edge and agreement corporations, bankers' banks that are not subject to reserve requirements, limited-purpose trust companies*, GSEs, and international organizations.* The annual rate used to determine the daylight-overdraft penalty fee is equal to the annual rate applicable to the daylight overdrafts of other depository institutions (36 basis points) plus 100 basis points multiplied by the fraction of a 24-hour day during which Fedwire is scheduled to operate (*currently* 18/24). The daily daylight overdraft penalty rate is calculated by dividing the annual penalty rate by 360.

The daylight-overdraft penalty rate applies to the *account holder's* average daily daylight overdraft in its Federal Reserve account. The daylight-overdraft penalty rate is charged in lieu of, not in addition to, the rate used to calculate daylight overdraft fees for depository institutions described in section I.B. While daylight overdraft fees are calculated differently for these *account holders* than for depository institutions, overnight overdrafts at *Edge and agreement corporations, bankers' banks that are not subject to reserve requirements,* limited-purpose trust companies, *GSEs, and international organizations* are priced the same as overnight overdrafts *at depository institutions that have regular access to the discount window.*

A new heading ''Government-sponsored enterprises and international organizations'' and text would be added to read as follows in Section I.E.4.:

4. Government-sponsored enterprises and international organizations

The Reserve Banks act as fiscal agents for certain GSEs and international organizations in accordance with federal statutes. These entities generally have Federal Reserve accounts and issue securities over the Fedwire Securities Service. The securities of these account holders are not obligations of, or guaranteed by, the United States. Furthermore, these account holders are not subject to reserve requirements, do not have regular discount-window access, and should refrain from incurring daylight overdrafts and post collateral to cover any daylight overdrafts they do incur. GSEs and international organizations are subject to the same daylight-overdraft penalty rate as other entities that do not maintain reserves and do not have regular discount-window access.

Section I.E.4., under the heading ''Problem institutions,'' would be renumbered as ''I.E.5.''

By order of the Board of Governors of the Federal Reserve System, February 4, 2004.

Jennifer J. Johnson,

Secretary of the Board.

[FR Doc. 04–2797 Filed 2–9–04; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Program Announcement 04078]

Providing Technical Assistance Support for the Rapid Strengthening of Blood Transfusion Services in Selected Countries in Africa and the Caribbean Under the President's Emergency Plan for AIDS Relief; Amendment

A notice announcing the availability of fiscal year (FY) 2004 funds for cooperative agreements for Providing Technical Assistance Support for the Rapid Strengthening of Blood Transfusion Services in Selected Countries in Africa and the Caribbean Under the President's Emergency Plan for AIDS Relief was published in the **Federal Register** on December 1, 2003, volume 68, number 230, pages 67181–67186. The notice is amended as follows:

On page 67183, in the first column under ''III.1. Eligible applicants,'' please include a fifth bullet allowing ''For profit organizations'' to apply.

On page 67185, in the first column under ''IV.5. Funding restrictions,'' please incorporate the following as an additional restriction:

In accordance with CFR 45 74.81, no HHS funds may be paid as profit to any recipient even if the recipient is a commercial organization. Profit is any amount in excess of allowable direct and indirect costs.

Dated: February 4, 2004.

Sandra R. Manning,

Director, Procurement and Grants Office, Centers for Disease Control and Prevention.

[FR Doc. 04–2778 Filed 2–9–04; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[FDA 225–03–8002]

Memorandum of Understanding Between the Food and Drug Administration and Virginia Polytechnic Institute and State University

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is providing notice of a memorandum of understanding (MOU) between FDA and the Virginia Polytechnic Institute and State University to establish terms of collaboration to support shared interests that can proceed through a variety of programs, such as sabbaticals, postdoctoral fellowships, and student internships.

DATES: The agreement became effective March 13, 2003.

FOR FURTHER INFORMATION CONTACT: Peter Pitts, Office of External Relations (HF–10), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–3330.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 20.108(c), which states that all written agreements

and MOUs between FDA and others shall be published in the **Federal Register**, the agency is publishing notice of this MOU.

Dated: February 2, 2004.

Jeffrey Shuren,

Assistant Commissioner for Policy.

BILLING CODE 4160–01–S

225-03-8002

MEMORANDUM OF UNDERSTANDING

between

THE UNITED STATES FOOD AND DRUG ADMINISTRATION

and the

VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY

The United States Food and Drug Administration (FDA) and the Virginia Polytechnic Institute and State University (Tech) have a shared interest in scientific progress through an exchange of scientific capital in the diverse fields of science and medicine that directly and indirectly affect human and animal health. Both institutions also endorse scientific training for academicians and students to foster a well-grounded foundation in interdisciplinary science on which scientific learning will grow.

This Memorandum of Understanding (MOU) establishes terms of collaboration between FDA and Tech to support these shared interests that can proceed through a variety of programs such as sabbaticals, postdoctoral fellowships, and student internships. The MOU also includes the Virginia Tech Center for Food and Nutrition Policy (VT-CFNP), which is a chartered research and education center of Tech. VT-CFNP is non-profit, dedicated to advancing rational, science-based food and nutrition policy. Their trademark is Ceres® which signifies the center's outreach and public service activities that include an email service of analyses (CeresNet), conferences, roundtables, seminars, and lectures. These provide a venue for stakeholders to debate current food and nutrition policy issues having impact in the United States and throughout the world. The VT-

CFNP publishes high-quality, scholarly proceedings and executive summaries commemorating these deliberations that are marketed through its website, scientific conferences, and other appropriate venues.

I. FDA relationship with Tech

For the programs listed below, FDA will provide the following:

- Laboratory and/or office space as needed.
- Openness and proactive efforts in collaborative research efforts with Tech faculty, students, and staff.
- Based on available resources, willingness to participate in graduate courses and seminars at Tech.
- Continuing and frequent communication with faculty and staff.
- Openness and welcome to faculty, staff, and students wishing to visit FDA laboratories.
- Promulgation and communication of this collaborative effort through web pages, informal conversations with colleagues, faculty and students. In addition to above, FDA will provide Tech personnel the following:

Sabbatical Program:

- Opportunities to apply for a sabbatical with the agency with terms of the sabbatical to be negotiated between the individual and the agency.
- Opportunities to apply for salary support, where appropriate, through a variety of funding mechanisms. Request for salary support must coincide with the current federal fiscal year.
- Opportunity to attend a variety of didactic courses.

FDA Service Fellowship Program:

- Opportunity to compete for appointments. For those who receive appointments, research training and mentoring of the Fellow will be the responsibility of the appointing office.

Tech Graduate Student Internship Program:

- Tech will select the graduate student and FDA will approve the student applying mutually agreeable criteria.
- With concurrence of both parties on a research project, FDA, as appropriate, will offer office support, laboratory support, and supplies.
- The student will have the opportunity to apply for salary support from the FDA through a variety of mechanisms including Internship Programs, the Student Career Experience Program, and other work-study programs by working with the appropriate FDA Center Director.
- Consistent with Tech and FDA rules and regulations, and negotiated on a case-by-case basis, FDA mentors can, where appropriate, serve on thesis committees, attend examination and committee meetings, and participate in other aspects of the student's educational program at Tech.
- As appropriate, openness and welcome to students wishing to rotate through FDA laboratories, as well as an opportunity to obtain short-term training in related areas.

Education and Instruction:

- FDA, when available, will be instructors as part of Tech distance learning.
- FDA, when available, will participate in VT-CFNP's summer education programs.

General Appointments:

- Opportunity to submit resumes to apply for Special Government Employee (SGE) appointments.

II. FDA's relationship with the Center for Food and Nutrition Policy (CFNP)

Collaborative Research:

- Collaborative research in statistical analyses and other areas of opportunity will be handled in accordance with federal law (e.g., Freedom of Information and Privacy Act) and Agency policy governing the sharing, disclosing and consultation on Agency data. This is required to ensure the protection of proprietary information whether it is pre- or post-marketing. When federal and Agency laws are met, any collaborative research in statistical analyses will be handled through appropriate federal documents such as Cooperative Research and Development Agreements. (CRADAs).
- FDA, when available, will participate in VT-CFNP Roundtables in food and nutrition policy.

Outreach:

- FDA, when available, will participate in lecture series sponsored by VT-CFNP. These lectures are ideal networking opportunities for students (and others) who wish to understand the science and policy problems and solutions. The tone for the seminars and ensuing discussion period is collegial, informal, and informative.

III. Tech's relationship with FDA.

For the programs listed below, Tech will provide FDA the following:

- Laboratory and/or office space as needed and as available in accordance with the resources, rules, laws and policies of Tech.
- Openness and proactive efforts in establishing collaborative research efforts with FDA scientists and staff.
- Continuing and frequent communication with FDA scientists and staff.
- Openness and welcome to FDA scientists and staff wishing to visit relevant Tech laboratories and participate in relevant programs.
- Promulgation and communication of this collaborative effort through web pages, informal conversations with colleagues, faculty and students.
- In addition to above, Tech will provide FDA personnel the following:

Sabbatical Program at Tech:

- Opportunities to apply for a sabbatical with Tech. Terms of the sabbatical will be negotiated between the individual and the appropriate University unit.
- Opportunity to attend and/or participate in a variety of courses at the graduate level.

FDA Service Fellowship Program:

- Opportunities to apply for funding through internal and external mechanisms for additional research support for collaborative research efforts between Tech and FDA laboratories, subject to the policies and practices of Tech and FDA.

Tech Graduate Students:

- The basic formal educational structure be adhered to by students within any of its programs. It is understood that all students will meet all requirements for courses and degree programs as set up by the appropriate department or program at Tech.
- Stipend support, health insurance coverage, and/or tuition support in the form of teaching assistantships, campus fellowships, or other mechanisms, where appropriate are based on available resources, to Tech Graduate Students taking classes full time at Tech.
- Opportunity to receive dissertation research credits from the Graduate School, when available and appropriate, for Tech students engaged in dissertation research while participating in an internship at an FDA Center.
- Long-term commitment from the Graduate School to offer continued education, typical of what is provided to other Tech graduate students in good standing in their program, to Tech graduate students engaged in dissertation research while participating in an internships with FDA.
- Encouragement of graduate students to rotate through, and/or have short-term research opportunities in FDA laboratories.

Adjunct Faculty Appointments:

- Adjunct faculty appointments in relevant Tech programs or departments, based on available resources and consistent with standard Tech policies, for those FDA staff members working with Tech students, and/or assisting in teaching at Tech.

Education:

- FDA will be invited to participate in Tech distance learning for continuing education credit.
- Tech will invite FDA staff to be adjunct faculty.

IV. VT-CFNP's relationship with FDA.

Collaborative Research:

- Collaborative research in statistical analyses will be handled through appropriate federal documents such as Cooperative Research and Development Agreements. (CRADAs)

Lectures:

- VT-CFNP will invite FDA to attend lecture series sponsored by VT-CFNP. FDA employees will be able to receive Continuing Education credit for attending in the lectures.
- VT-CFNP will invite FDA to participate in lecture series sponsored by VT-CFNP. Agency participation will be handled in accordance with federal law and Agency policy.

Education and Instruction:

- FDA individuals may consult with VT-CFNP on the development of their Masters of Public Policy degree program. FDA's availability to consult will be based on available resources, such as personnel and time. FDA will determine how the Agency can be of help. Furthermore, any commitment on behalf of FDA to permanently assist in the Master's program (e.g., curricula, research and design, faculty) will be handled in accordance with federal law and Agency policy.
- VT-CFNP will offer FDA adjunct faculty positions, should a Masters of Public Policy (MPP) degree program be developed. Graduate-level classes may include Food Safety and Regulatory Policy, Nutrition and Public Policy, Biotechnology and Public Policy, and Risk Analysis in Public Policy.

V. Coverances

Tech individuals participating in the MOU will be United States Citizens or Permanent Residents when their participation involves research subject to export controls restrictions, or select agents. Regarding the latter, all federal restrictions will be adhered to.

Patent, license, and other legal instruments will be prepared in accordance with federal law and Tech policy, and written notice referencing the policies will be provided to the individual prior to entering on duty with FDA. Tech and FDA may decide to enter into a Cooperative Research and Development Agreement (CRADA) at a future time to conduct collaborative research. The terms of such a CRADA will address Intellectual Property rights.

This MOU forms the basis for the initial relations between FDA and Tech for sabbaticals, research, and scientific education. However, as this collaborative effort progresses, it is expected that new and wider areas of mutual interest will evolve and be included in expansions of this document.

VI. Finances and Resources

Tech and FDA agree that this MOU does not commit either to make specific levels of financial or personnel support or to provide specific laboratory or office space for the programs and that the provision of such support will be based on available resources and provided in accordance with the rules, regulations and laws under which FDA operates and the policies of Tech.

VII. Contact

The individual to whom all inquiries to FDA should be addressed is:

Judy Blumenthal, Ph.D. jblument@oc.fda.gov

The individual to whom all inquiries to Tech should be addressed is:

Dr. Leonard K. Peters, Vice Provost for Research peters@vt.edu

AGREED TO:

VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY

BY: Maureen Storey February 27, 2003

Signature of authorized representative Date

Maureen Storey, Ph.D., Acting Director,
Virginia Tech Center for Food and Nutrition Policy

BY: C Steger 3/5/03

Signature of authorized representative Date

Charles W. Steger, Ph.D., President
Virginia Polytechnic Institute and State University

UNITED STATES FOOD AND DRUG ADMINISTRATION

BY: Linda Arey Skladany March 12, 2003

Signature of authorized representative Date

Linda Arey Skladany, Esq.
Associate Commissioner
for External Relations
Food and Drug Administration

BY: Mark McClellan 3/13/03

Signature of authorized representative Date

Mark B. McClellan, M.D., Ph.D.
Commissioner of Food and Drugs

[FR Doc. 04–2738 Filed 2–9–04; 8:45 am]
BILLING CODE 4160–01–C