(c) Numerical limitation for natives of adversely affected countries other than Ireland.

(1) Overall. The overall numerical limitation for natives of adversely affected countries other than Ireland shall be the difference between the total number of visas available under section 132 of Pub. L. 101–649 during fiscal year 1994 but not used during such fiscal year and the number computed pursuant to paragraph (b) of this section.

(2) *Regional apportionment.* The overall numerical limitation determined as provided in paragraph (c)(1) of this section shall be apportioned among the regions established by section 203(c)(1)(F) of the Immigration and Nationality Act, as amended, as follows—Africa: 0.54%; Asia: 11.51%; Europe: 85.93%; North America—none; Oceania: None; and South America, Mexico, Central America, and the Caribbean; 2.02%.

(d) Allocation of immigrant visa numbers. Within the limitations specified in paragraphs (b) and (c) of this section, the Department shall allocate immigrant visa numbers for use in connection with the issuance of immigrant visas and the granting of adjustment of status.

### §43.26 Fees.

An applicant who is to be given consideration under this subpart and who is notified or otherwise informed thereof shall remit to the Department a fee of \$25 in such manner as the Department shall specify in the notification or other communication to the applicant. The fee shall be \$25 regardless of whether or not the applicant has a spouse and/or child(ren) who intend to accompany or follow to join the applicant. The remittance shall be negotiable in such form as the Department shall specify.

#### §43.27 Eligibility to receive a visa.

The eligibility of an applicant for a visa under section 217 of Pub. L 103–416 shall be determined as provided in the Immigration and Nationality Act, as amended, and parts 40 and 42 of subchapter E-Visas except that—

(a) Section 212(e) of the Immigration and Nationality Act, as amended, shall not apply to such an applicant; and

(b) The provisions of  $\S$  40.105 of this chapter shall apply to such an applicant.

Dated: February 2, 1995.

## Mary A. Ryan,

Assistant Secretary for Consular Affairs. [FR Doc. 95–3004 Filed 2–7–95; 8:45 am] BILLING CODE 4710–06–P

# DEPARTMENT OF JUSTICE

Office of the Attorney General

### 28 CFR Part 64

[AG Order No. 1947-95]

## Designation of Officers and Employees of the United States for Coverage Under Section 1114 of Title 18 of the United States Code

**AGENCY:** Department of Justice. **ACTION:** Final rule.

SUMMARY: Part 64 of title 28, Code of Federal Regulations, designates categories of federal officers and employees who, in addition to those already designated by statute, warrant the protective coverage of federal criminal law. This designation confers federal jurisdiction to prosecute the killing, attempted killing, kidnaping, forcible assault, intimidation or interference with any of the federal officers or employees designated by this regulation while they are engaged in or on account of the performance of their official duties. This order adds to the list of covered federal officers and employees federal administrative law judges not previously covered and employees of the Office of Workers' **Compensation Programs of the** Department of Labor who adjudicate and administer claims under the Federal Employees' Compensation Act, the Longshore and Harbor Workers Compensation Act and its extension, and the Black Lung Benefits Act. The order also makes technical corrections and deletes duplicative designations.

**DATES:** This final rule is effective February 8, 1995.

FOR FURTHER INFORMATION CONTACT: Mary Incontro, Deputy Chief, or Stephen M. Weglian, Attorney, Terrorism and Violent Crime Section, Criminal Division, Department of Justice, Washington, D.C. 20530, telephone (202) 514–0849.

SUPPLEMENTARY INFORMATION: Part K of chapter X of the Comprehensive Crime Control Act of 1984, Pub. L. 98-473, title II, §1012, 98 Stat. 1976, 2142 (1984), amended 18 U.S.C. 1114, which prohibits the killing of designated federal employees, to authorize the Attorney General to add by regulation other federal personnel who will be protected by this section. The categories of federal officers and employees covered by section 1114 are also protected, while engaged in or on account of the performance of their official duties, from a conspiracy to kill, 18 U.S.C. 1117; kidnaping, 18 U.S.C.

1201(a)(5); forcible assault, interference, or intimidation, 18 U.S.C. 111; and threat of assault, kidnap or murder with intent to impede, intimidate, or retaliate against such officer or employee, 18 U.S.C. 115.

In order to implement this legislation initially, the Department conducted a survey of all federal agencies to determine which federal employees, other than those already listed in 18 U.S.C. 1114, should be protected under the statute. The result of this survey was the promulgation of Attorney General Order No. 1177-87, 52 FR 4767, February 17, 1987, creating 28 CFR part 64. Section 64.1 states the purpose of the regulation. Section 64.2 originally listed 21 categories of federal employees who were considered appropriate for coverage under section 1114 and the other statutory provisions. Consistent with the purpose and legislative history of section 1114, these categories of federal employees were selected because their jobs involve inspection, investigative or other law enforcement responsibility or their work involves a substantial degree of physical danger from the public and may not be adequately addressed by available state or local law enforcement resources. Part 64 has been amended four times to add additional categories of personnel (Attorney General Order No. 1326-89, 54 FR 9043, March 3, 1989; Attorney General Order No. 1394–90, 55 FR 3945, February 6, 1990; Attorney General Order No. 1508-91, 56 FR 32327, July 16, 1991; Attorney General Order No. 1636-92, 57 FR 56444, November 30, 1992).

Attorney General Order No. 1636-92 established an interim rule that, besides making various technical modifications to Part 64, added these categories of employees: (1) attorneys and employees assigned to perform or to assist in performing, investigative, inspection or audit functions of the Office of the Inspector General of certain designated Federal entities as that term is defined by section 8E of the Inspector General Act of 1978, as amended, 5 U.S.C. App 3 section 8E, and of the Merit Systems Protection Board and the Selective Service System; (2) attorneys, accountants, investigators, administrative judges and other employees of the U.S. Securities and Exchange Commission assigned to perform or to assist in performing investigative, inspection or other law enforcement functions; (3) biologists and technicians of the U.S. Fish and Wildlife Service who are participating in sea lamprey control operations; (4) officers and employees of the Federal Aviation Administration, the Federal