

American Indian Tribal Member

Any individual defined in 25UC16039(c)[IHCIA, Sec 4(13)], 1603(f) [IHCIA Sec. 4(28)] or 1679(b) [IHCIA Sec. 809(a)], or who has been determined eligible as an Indian pursuant to Section 136.12 of this part. This means the individual is:

- (i) A member of a Federally-recognized Indian tribe;
- (ii) Resides in an urban center and meets one or more of the following four criteria:
 - (A) Is a member of a tribe, band or organized group of Indians, including those tribes, bands or groups terminated since 1940 and those recognized now or in the future by the State in which they reside, or who is a descendant, the first or second degree, of any such member;
 - (B) Is an Eskimo of Aleut or other Alaska Native;
 - (C) Is considered by the Secretary of the Interior to be an Indian for any purpose; or
 - (D) Is determined to be an Indian under regulations promulgated by the Secretary;
- (iii) Is considered by the Secretary of the Interior to be an Indian for any purpose; or;
- (iv) Is considered by the Secretary of Health and Human Services to be an Indian for purposes of eligibility for Indian Health care services, including as a California Indian, Eskimo, Aleut or other Alaska Native.