

SB 272 STAFF MEASURE SUMMARY

Senate Committee On Education

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Meeting Dates: 1/26, 2/9

WHAT THE MEASURE DOES:

Requires an exemption from nonresident tuition and fees for Compact of Free Association (COFA) islanders, refugees, and special immigrant visa (SIV) holders attending Oregon Health and Science University (OHSU). Limits eligibility to COFA islanders, refugees, and SIV holders who have established residency in Oregon and no other U.S. state. Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Longstanding relationship with COFA nations
- Alignment with exemptions at other public universities in SB 553 (2021)

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Compact of Free Association (COFA) Act of 1985 established the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI), and the Republic of Palau as independent nations, terminating the United States' (U.S.) trusteeship over the former Trust Territory of the Pacific Islands (TTPI). The U.S. has separate Compacts of Free Association with each of these three nations that allows citizens of the FSM, the RMI, and Palau to be admitted to the U.S. as nonimmigrants and to live, study, and work in the country indefinitely. FSM, RMI, and Palau citizens admitted to the U.S. are nonimmigrants, do not receive visas, and are not lawful permanent residents ('Green Card holders'), unless they choose to apply for that status.

ORS 353.123 currently permits the OHSU board of directors to grant resident (in-state) tuition to a student who is not a citizen, is not a lawful permanent resident, or is a refugee, special immigrant visa holder, or COFA islander. However, current OHSU policy, titled "Student Residency for Tuition Purposes," establishes that a student who is not a citizen or lawful permanent resident, but meets Oregon residency requirements, may qualify for resident tuition if:

1. They are an immigrant who has been granted refugee status or political asylum, or
2. They have one of several visa classifications.

Since FSM and RMI citizens are nonimmigrants and do not hold visas, they are considered nonresidents under this policy.

Special immigrant visa (SIV) holders are recipients of special visas reserved for those who aided U.S. Armed Forces as a translator or interpreter in Iraq or Afghanistan. SIVs are also not among the visa classifications eligible for resident tuition under current OHSU policy.

In 2021, SB 553 guaranteed COFA islanders, refugees, and SIV holders who are Oregon residents in-state tuition at the state's public universities. SB 272 extends that guarantee to those attending Oregon Health and Science University. Declares an emergency, effective on passage.