



December 12, 2025

Mr. Ken Kies
Assistant Secretary for Tax Policy
U.S. Department of the Treasury
Room 3120
1500 Pennsylvania Avenue, NW
Washington, D.C. 20220

Re: Urgent Need to Prioritize Rulemaking for the Federal Scholarship Tax Credit (FSTC)

Dear Assistant Secretary Kies:

We write as a coalition of Wisconsin organizations concerned that Wisconsin families may be unable to access the Federal Scholarship Tax Credit (FSTC) while families in other states benefit. We write to support the Department of the Treasury in making rulemaking for the FSTC a top priority. Families in Wisconsin are eager to take advantage of this opportunity, but without clear rules, they risk being left behind.

As you know, Congress established the FSTC under Section 25F of the Internal Revenue Code. Prompt guidance is essential so that states and Scholarship Granting Organizations (SGOs) can prepare to administer the program. Families make educational decisions months in advance, including where their children will go to school and how to pay for supplies, therapies, tutoring, before- and after-school care, and more. SGOs also need timely regulatory clarity to organize and ensure compliance, so they are prepared when taxpayers are ready to donate in 2027.

Because federal law requires the governor to submit to Treasury a list of qualifying SGOs, early and clear guidance is critical. This will ensure that Wisconsin understands how the FSTC could complement and strengthen existing education programs to the benefit of every student regardless of where they attend school.

Delays in rulemaking threaten Wisconsin families' ability to benefit from the FSTC. If rules are not finalized with enough lead time, SGOs cannot get set up, and families cannot plan. We are

particularly concerned that parents of public and private school students, who rely on timely access to educational options and resources, could lose the opportunity this program is intended to provide.

We respectfully urge Treasury to prioritize rulemaking for the FSTC and ensure the rules governing SGOs and state opt-in are simple and straightforward so Wisconsin families and organizations can act without confusion or delay.

Sincerely,

Wisconsin Institute for Law & Liberty
Metropolitan Milwaukee Association of Commerce
The Catholic Schools of the Archdiocese of Milwaukee
City Forward Collective
Institute for Reforming Government
School Choice Wisconsin
Wisconsin Catholic Conference
Wisconsin Independent Charter School Advocates
Wisconsin Manufacturers & Commerce

cc:

Tammy Baldwin
Ron Johnson
Bryan Steil
Mark Pocan
Derrick Van Orden
Gwen Moore
Scott Fitzgerald
Glenn Grothman
Tom Tiffany
Tony Wied