

# Congress of the United States

Washington, DC 20515

February 5, 2026

The Honorable Kathy Hochul  
Governor of the State of New York  
NYS Capitol Building  
Albany, NY 12224

Dear Governor Hochul:

We write to you today to urge you to opt-in to the new program that creates a tax credit for donations to scholarship granting organizations. This program could unlock millions of dollars for students in New York to receive scholarships to increase educational opportunities for low-income and middle-income families.

As you know, as part of H.R. 1, Section 70411 created a new tax credit for contributions of individuals to scholarship granting organizations. Under this program, individuals can receive up to a \$1,700 federal tax credit for donations to eligible scholarship granting organizations. These organizations must be nonprofit entities that grant scholarships to 10 or more students to attend various elementary and secondary schools and must spend at least 90% of the funds received on scholarships. Further, these scholarships are limited to low-income and middle-income families, providing these students with new opportunities that otherwise may not be possible.

As part of this new program, states must opt-in to the program, and 28 governors have already either opted-in or announced their intention to do so. As Colorado Governor Jared Polis put it, “It supports donors to give more money to our schools, I mean, I would be crazy not to [opt-in].” We strongly urge you to join the 28 governors that have already done so and opt New York State into this incredible program.

We believe in the right of every student and parent to make choices about what is best for their education. It is important to provide families with opportunities to fit their needs. A family’s ZIP code or income level should never limit their children’s educational opportunities. This program does not divert any state-level resources away from our public schools but merely incentivizes private individuals to create new opportunities for students to attend the elementary or secondary school of their choosing.

Thank you for your attention to this important issue. We hope you will stand with parents and students by opting-in to this program expeditiously, and we look forward to hearing your decision.

Sincerely,



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Claudia Tenney  
Member of Congress



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Nicole Malliotakis  
Member of Congress



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Michael V. Lawler  
Member of Congress



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Nick LaLota  
Member of Congress



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Nicholas A. Langworthy  
Member of Congress



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Elise M. Stefanik  
Member of Congress