

Part I

Section 165.--Losses

26 CFR 1.165-11: Election in respect of losses attributable to a disaster.

Rev. Rul. 2001-15

Under § 165(i) of the Internal Revenue Code, if a taxpayer suffers a loss attributable to a disaster occurring in an area subsequently determined by the President of the United States to warrant assistance by the Federal Government under the Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5204c (1988 & Supp. V 1993) (the Act), the taxpayer may elect to claim a deduction for that loss on the taxpayer's federal income tax return for the taxable year immediately preceding the taxable year in which the disaster occurred. For purposes of § 165(i), a disaster includes an event declared a major disaster or an emergency under the Act.

Section 1.165-11(e) of the Income Tax Regulations provides that the election to deduct a disaster loss for the preceding year must be made by filing a return, an amended return, or a claim for refund on or before the later of (1) the due date of the taxpayer's income tax return (determined without regard to any extension of time to file the return) for the taxable year in which the disaster actually occurred, or (2) the due date of the taxpayer's income tax return (determined with regard to any extension of time to file the return) for the taxable year immediately preceding the taxable year in which the disaster actually occurred.

The provisions of § 165(i) apply only to losses that are otherwise deductible under § 165(a). An individual taxpayer may deduct losses if they are incurred in a trade or business, if

they are incurred in a transaction entered into for profit, or if they are casualty losses under § 165(c)(3).

The President has determined that during 2000 the areas listed below have been adversely affected by disasters of sufficient severity and magnitude to warrant assistance by the Federal Government under the Act.

FURTHER INFORMATION

For further information regarding this revenue ruling, contact Martin Scully Jr. on (202) 622-4960 (not a toll-free call).

Disaster Area	Disaster Description	Disaster Date
Alabama		
Counties of DeKalb, Cherokee, and Jackson	FEMA-1317-DR Severe winter storm	January 20 - 29
Counties of Jefferson and Tuscaloosa	FEMA-1322-DR Severe storms and flooding	March 10 - 11
Counties of Cherokee, Dale, Etowah, Geneva, Henry, Houston, Jefferson, Limestone, Macon, St. Clair, and Tuscaloosa	FEMA-1352-DR Severe storms and tornadoes	December 16 - 22
Alaska		
Municipality of Anchorage; Boroughs of Aleutians East, Bristol Bay, Denali, Fairbanks North Star, Kenai Peninsula, Kodia Island, Lake and Peninsula, and Matanaska-Susitna; and Census Areas of Bethel, Dillingham, Southeast Fairbanks, Valdez-Cordova, and Wade Hampton	FEMA-1316-DR Severe winter storms and avalanches	December 21, 1999- February 23, 2000
Arizona		
Counties of Cochise, La Paz, Maricopa, Pinal, Santa Cruz, and Yavapai	FEMA-1347-DR Severe storms and flooding	October 21 - November 8
Arkansas		
Counties of Arkansas, Benton, Bradley, Calhoun, Clark, Cleveland, Columbia, Crawford, Crittenden, Cross, Dallas, Desha, Drew, Faulkner, Franklin, Garland, Grant, Hempstead, Hot Spring, Howard, Jackson, Jefferson, Johnson, Lafayette, Lee, Lincoln, Little River, Logan, Lonoke, Madison, Miller, Mississippi, Monroe, Montgomery, Nevada, Ouachita, Perry, Pike, Polk, Poinsett, Prairie, Pulaski, St. Francis, Saline, Scott, Sebastian, Sevier, Washington, White, Woodruff, Union, and Yell	FEMA-3159-EM Severe winter ice storm	December 12 - January 8, 2001
Counties of Arkansas, Baxter, Benton, Boone, Bradley, Calhoun, Clark, Cleburne, Cleveland, Columbia, Conway,	FEMA-1354-DR Severe winter ice storm	December 12 - January 8, 2001

Crawford, Crittenden, Cross, Dallas, Desha, Drew, Faulkner, Franklin, Fulton, Garland, Grant, Hempstead, Hot Spring, Howard, Independence, IZard, Jackson, Jefferson, Johnson, Lafayette, Lee, Lincoln, Little River, Logan, Lonoke, Madison, Marion, Miller, Mississippi, Monroe, Montgomery, Nevada, Newton, Ouachita, Perry, Pike, Polk, Poinsett, Pope, Prairie, Pulaski, St. Francis, Saline, Scott, Searcy, Sebastian, Sevier, Sharp, Stone, Union, Van Buren, Washington, White, Woodroof, and Yell

California

Napa County

FEMA-1342-DR
Earthquake

September 3

District of Columbia

District of Columbia

FEMA-1325-DR
Severe winter storm

January 25 - 31

District of Columbia

FEMA-1338-DR
Severe thunderstorms

August 7

Florida

Counties of Bay, Calhoun, Escambia, Franklin, Gulf, Jefferson, Leon, Okaloosa, and Walkulla

FEMA-1344-DR
Tropical Storm Helene

September 21 -
October 4

Counties of Broward, Collier, Miami-Dade, and Monroe

FEMA-1345-DR
Severe storms and
flooding

October 3 - 11

Georgia

Counties of Banks, Barrow, Bartow, Butts, Carroll, Catossa, Chattooga, Cherokee, Clarke, Cobb, Dawson, DeKalb, Douglas, Elbert, Fannin, Floyd, Forsyth, Franklin, Fulton, Gilmer, Gordon, Greene, Gwinnett, Habersham, Hall, Hart, Haralson, Henry, Jackson, Jasper, Jones, Lamar, Lumpkin, Monroe, Newton, Oconee, Oglethorpe, Paulding, Pickens, Pike, Rabun, Rockdale, Spalding, Stephens, Taliaferro, Union, Upson, Walker, Walton, White, and Wilkes

FEMA-1311-DR
Severe winter storm

January 22-February 1

Counties of Colquitt, Decatur, Grady, Mitchell, Tift, and Turner

FEMA-1315-DR
Severe storms and
tornadoes

February 14

Hawaii

Hawaii County

FEMA-1348-DR
Severe storms and
floodingOctober 28 -
November 2**Idaho**Counties of Ada, Bannock, Bingham,
Blaine, Boise, Clearwater, Custer,
Elmore, Idaho, Jerome, Lemhi, Lewis,
Lincoln, Power, and Valley; and the Fort
Hall Indian ReservationFEMA-1341-DR
Wildfires

July 27-September 26

IllinoisCounties of Bureau, Cook, DeWitt,
DuPage, Ford, Fulton, Grundy,
Henderson, Henry, Iroquois, Kane,
Kankakee, Kendall, Lake, La Salle,
Livingston, Marshall, McDonough,
McHenry, McLean, Menard, Ogle, Peoria,
Stark, Will, and WinnebagoFEMA-3161-EM
Record/near record
snow

December 10 - 31

IndianaCounties of Allen, Carroll, Cass, Elkhart,
Fulton, Howard, Huntington, Jasper,
Kosciusko, Lagrange, Lake, Miami,
Noble, Pulaski, St. Joseph, Steuben,
White, and WhitleyFEMA-3162-EM
Record/near record
snow

December 11 - 31

KansasCounties of Crawford, Labette, and
NeoshoFEMA-1327-DR
Severe storms and
tornadoes

April 19 - 20

KentuckyCounties of Ballard, Breckinridge,
Carlisle, Crittenden, Daviess, Hancock,
Henderson, Hopkins, Livingston,
Spencer, and Webster
Counties of Bath, Bourbon, Boyd, Carter,
Fleming, Greenup, Harrison, Johnson,
Lawrence, Lewis, Mason, Nicholas,
Oldham, Pendleton, Robertson, and
RowanFEMA-1310-DR
Tornadoes, severe
storms, torrential rains
and flash flooding
FEMA-1320-DR
Severe storms and
flooding

January 3 - 4

February 18-March 2

LouisianaParishes of Bienville, Claiborne, Lincoln,
Ouachita, Richland, Union, Webster, and
West CarrollFEMA-1314-DR
Severe winter storm

January 27 - 30

Parishes of Bienville, Bossier, Caddo,
Claiborne, Lincoln, Ouachita, Union and
WebsterFEMA-1357-DR
Severe winter ice stormDecember 11 -
January 3, 2001

Maine

Counties of Androscoggin, Aroostock, Franklin, Kennebec, Oxford, Piscataquis, Somerset, and Washington

FEMA-1326-DR
Severe storms, flooding, and ice jams

March 28-April 26

Maryland

Baltimore City; and Counties of Anne Arundel, Baltimore, Calvert, Caroline, Charles, Dorchester, Frederick, Howard, Kent, Montgomery, Prince Georges, Queen Anne's, St. Mary's, and Talbot

FEMA-1324-DR
Severe winter storm

January 25 - 30

Michigan

Counties of Oakland and Wayne

FEMA-1346-DR
Severe storms and flooding

September 10 - 11

Minnesota

Counties of Becker, Chippewa, Clay, Clearwater, Dakota, Dodge, Faribault, Fillmore, Freeborn, Houston, Mahnomon, Mower, Norman, Ramsey, Roseau, Winona, and Yellow Medicine; and the White Earth Indian Reservation

FEMA-1333-DR
Severe storms, flooding, and tornadoes

May 17- July 26

Missouri

Counties of Crawford, Franklin, Gasconade, Jefferson, St. Charles, Ste. Genevieve, St. Francois, St. Louis County, Warren, and Washington

FEMA-1328-DR
Severe thunderstorms and flash flooding

May 6 - 7

Montana

Counties of Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Liberty, Lincoln, Madison, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Rosebud, Sanders, Silver Bow, Stillwater, Sweet Grass, Teton, Toole, Treasure, Wheatland, and Yellowstone; and Indian Reservations of the Blackfeet, Crow, Flathead, Fort Belknap, Northern Cheyenne, and Rocky Boy's

FEMA-1340-DR
Wildfires

July 13-September 25

Counties of Carter, Fallon, Richland, Roosevelt, Sheridan, and Wibaux

FEMA-1350-DR
Severe winter storms

October 31 -
November 20

New Jersey

Counties of Morris and Sussex

FEMA-1337-DR
Severe storms, flooding
and mudslides

August 12 - 21

Counties of Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Salem, Somerset, Sussex, Union, and Warren

FEMA-3156-EM
West Nile Virus

May 30 - November 1

New Mexico

Counties of Bernalillo, Catron, Chaves, Cibola, Colfax, Curry, DeBaca, Dona Ana, Eddy, Grant, Guadalupe, Harding, Hidalgo, Lea, Lincoln, Los Alamos, Luna, McKinley, Mora, Otero, Quay, Rio Arriba, Roosevelt, San Juan, San Miguel, Sandoval, Santa Fe, Sierra, Socorro, Taos, Torrance, Union, and Valencia.

FEMA-3154-EM
Severe fire threats

May 5 - July 7

Counties of Bernalillo, Chaves, Cibola, DeBaca, Dona Ana, Eddy, Guadalupe, Lincoln, Los Alamos, McKinley, Mora, Otero, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Sierra, Socorro, Taos, and Torrance

FEMA-1329-DR
Severe forest fire

May 5 - June 9

New York

Counties of Albany, Allegany, Cattaraugus, Chenango, Columbia, Dutchess, Erie, Essex, Greene, Herkimer, Lewis, Livingston, Madison, Montgomery, Niagara, Oneida, Onondaga, Orleans, Otsego, Rensselaer, Schenectady, Schoharie, Steuben, Sullivan, Tioga, Tompkins, Ulster, and Yates

FEMA-1335-DR
Severe storms and
flooding

May 3 - August 12

New York City; and Counties of Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chenango, Chemung, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans,

FEMA-3155-EM
West Nile Virus

May 22 - November 1

Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, and Yates Counties of Cattaraugus, Chautauqua, and Erie	FEMA-3157-EM Near record snow	November 19 - 21
North Carolina Counties of Alamance, Anson, Cabarrus, Caswell, Chatham, Davidson, Durham, Edgecombe, Franklin, Granville, Guilford, Halifax, Harnett, Hoke, Johnston, Lee, Mecklenburg, Montgomery, Moore, Nash, Northampton, Orange, Person, Randolph, Richmond, Rockingham, Scotland, Stanly, Union, Vance, Wake, Warren, and Wilson	FEMA-1312-DR Severe winter storm	January 24-February 1
North Dakota Counties of Barnes, Benson, Bottineau, Burke, Burleigh, Cass, Cavalier, Dickey, Eddy, Emmons, Foster, Grand Forks, Griggs, Kidder, LaMoure, Logan, McHenry, McIntosh, McLean, Morton, Mountrail, Nelson, Oliver, Pembina, Pierce, Ramsey, Ransom, Renville, Richland, Rolette, Sargent, Sheridan, Steele, Stutsman, Towner, Traill, Walsh, Ward, and Wells; and Indian Reservations of the Spirt Lake Tribal Reservation, the Three Affiliated Tribes, and the Turtle Mountain Band of the Chippewa.	FEMA-1334-DR Severe storms, flooding and ground saturation	April 5 - August 12
Counties of Benson, Bowman, Cavalier, Divide, Golden Valley, McKenzie, Ramsey, Towner, and Williams	FEMA-1353-DR Severe winter storms and tornadoes	November 1 - 20
Ohio Counties of Adams, Gallia, Jackson, Lawrence, Meigs, Pike, and Scioto	FEMA-1321-DR Severe storms and flooding	February 18-March 2
Lucas County	FEMA-1339-DR Severe storms and flooding	July 29 - August 2
Greene County	FEMA-1343-DR Severe storms and a	September 20

Counties of Caddo, Carter, Comanche, Cotton, Grady, Jackson, Jefferson, Kiowa, McClain, and Tillman	tornado FEMA-1349-DR Severe storms and flooding	October 21 - 29
Oklahoma Counties of Adair, Atoka, Bryan, Carter, Cherokee, Choctaw, Cleveland, Coal, Cotton, Creek, Garvin, Grady, Haskell, Hughes, Jefferson, Johnston, Latimer, LeFlore, Lincoln, Love, Marshall, McClain, McCurtain, McIntosh, Murray, Muskogee, Okfuskee, Oklahoma, Okmulgee, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Seminole, Sequoyah, Stephens, Tulsa, Wagoner, and Washington	FEMA-3158-EM Severe winter and ice storm	December 25 -
Counties of Caddo, Carter, Comanche, Cotton, Grady, Jackson, Jefferson, Kiowa, McClain, Oklahoma, and Tillman	FEMA- 1349-DR Severe storms and flooding	October 21 - 29
Counties of Adair, Atoka, Beckham, Bryan, Caddo, Carter, Cherokee, Choctaw, Cleveland, Coal, Comanche, Cotton, Craig, Creek, Delaware, Garvin, Grady, Greer, Harmon, Haskell, Hughes, Jackson, Jefferson, Johnston, Latimer, LeFlore, Lincoln, Love, Marshall, Mayes, McClain, McCurtain, McIntosh, Murray, Muskogee, Nowata, Okfuskee, Oklahoma, Okmulgee, Ottawa, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Rogers, Seminole, Sequoyah, Stephens, Tillman, Tulsa, Wagoner, Washington, and Washita	FEMA-1355-DR Severe winter ice storm	December 25 - January 10, 2001
South Carolina Counties of Abbeville, Aiken, Allendale, Bamberg, Barnwell, Berkley, Calhoun, Clarendon, Charleston, Collenton, Cherokee, Chester, Chesterfield, Darlington, Dillon, Dorchester, Edgefield, Fairfield, Florence, Georgetown, Greenwood, Kershaw, Lancaster, Laurens, Lee, Lexington, Marion, Marlboro, McCormick, Newberry, Orangeburg, Richland, Saluda, Spartanburg, Sumter, Union, Williamsburg, and York	FEMA-1313-DR Severe winter storm	January 22-February 1

South Dakota

Counties of Custer, Fall River, Jackson, Pennington, and Shannon

FEMA-1330-DR
Severe winter storm, flooding, landslides, and mudslides

April 18 - 20

Tennessee

Counties of Anderson, Benton, Cheatham, Davidson, Henry, Hickman, Houston, Jackson, Knox, Lake, Obion, Perry, Pickett, Stewart, Weakley

FEMA-1331-DR
Severe storms, tornadoes, and flooding

May 23 - 31

Texas

Tarrant County

FEMA-1323-DR
Severe storms, tornadoes, and flooding

March 28 - 29

Counties of Borden, Bowie, Carson, Cass, Cherokee, Cooke, Dawson, Delta, Gains, Garza, Gray, Gregg, Grayson, Fannin, Franklin, Harrison, Hopkins, Hunt, Lamar, Lynn, Marion, Montague, Morris, Panola, Rains, Red River, Rusk, Smith, Titus, Upshur, and Wood

FEMA-1356-DR
Severe winter ice storm

December 12 -
January 15, 2001

Vermont

Counties of Addison, Bennington, Orange, Rutland, Windham, and Windsor

FEMA-1336-DR
Severe storms and flooding

July 14 - 18

Counties of Bennington and Rutland

FEMA-1358-DR
Severe storms and flooding

December 16 - 18

Virginia

Cities of Alexandria, Colonial Heights, Danville, Emporia, Fairfax, Franklin, Fredericksburg, Hopewell, Lynchburg, Manassas, Newport News, Norton, Petersbrug, Richmond, Suffolk, Williamsburg; and Counties of Accomack, Albermarle, Alleghany, Amelia, Amherst, Appomattox, Arlington, Augusta, Bath, Bedford, Bland, Botetourt, Brunswick, Buchanan, Buckingham, Campbell, Caroline, Carroll, Charles City, Charlotte, Chesterfield, Clarke, Craig, Culpeper, Cumberland, Dickenson, Dinwiddie, Essex, Fairfax, Fauquier, Floyd, Fluvanna, Franklin, Frederick, Giles, Goochland, Grayson,

FEMA-1318-DR
Severe winter storm

January 25 - 30

Greene, Greenville, Halifax, Hanover, Henrico, Henry, Highland, Isle of Wight, James City, King George, King William, King and Queen, Lancaster, Lee, Loudon, Louisa, Lunenburg, Madison, Mecklenburg, Middlesex, Montgomery, Nelson, New Kent, Northampton, Northumberland, Nottoway, Orange, Patrick, Pittsylvania, Powhatan, Prince Edward, Prince George, Prince William, Pulaski, Rappahannock, Richmond, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Southampton, Spotsylvania, Stafford, Surry, Sussex, Tazewell, Warren, Washington, Westmoreland, Wise, Wythe, and York

West Virginia

Counties of Barbour, Braxton, Cabell, Calhoun, Doddridge, Gilmer, Harrison, Jackson., Kanawha, Lewis, Lincoln, Marion, Mason, Monongalia, Pocohontas, Preston, Putnam, Randolph, Ritchie, Roane, Taylor, Tucker, Tyler, Upshur, Wetzel, and Wirt

FEMA-1319-DR
Flooding, severe storms,
and landslides

February 18 - 22

Wisconsin

Counties of Adams, Ashland, Barron, Burnett, Columbia, Crawford, Dane, Dodge, Forest, Grant, Green, Iowa, Iron, Jackson, Juneau, Kenosha, Lafayette, Milwaukee, Monroe, Oneida, Polk, Racine, Richland, Rusk, Sauk, Sawyer, Vernon, Walworth, Waukesha, and Washburn

FEMA-1332-DR
Severe storms, flooding,
and tornadoes

May 26 - July 19

Counties of Dane, Door, Green, Kenosha, Kewaunee, Manitowoc, Milwaukee, Racine, Rock, Sheboygan, and Walworth

FEMA-3163-EM
Record/near record
snow

December 11 - 31

Wyoming

Counties of Crook, Goshen, Platte, and Weston

FEMA-1351-DR
Severe winter storms

October 31 -
November 20