

Ebola Virus Disease Outbreak Occurring in Guinea, Liberia, and Sierra Leone Designated as a Qualified Disaster under § 139 of the Internal Revenue Code

Notice 2014-65

This notice designates the Ebola Virus Disease (EVD) outbreak occurring in the West African countries of Guinea, Liberia, and Sierra Leone as a qualified disaster for purposes of § 139 of the Internal Revenue Code. As a result of the designation of the EVD outbreak as a qualified disaster for purposes of § 139, payments of qualified disaster relief to assist victims affected by the EVD outbreak in the three countries (Guinea, Liberia, and Sierra Leone) are excludable from the recipients' gross income.

EVD OUTBREAK

As of October 22, 2014, more than 4,800 EVD-related deaths and more than 9,900 suspected and confirmed cases of EVD have been reported by Guinea, Liberia, and Sierra Leone. See www.usaid.gov/ebola. In addition, the reported number of cases of EVD continues to increase rapidly in those countries. *USAID West Africa – Ebola Outbreak – Fact Sheet No. 4 (FY15)* (October 22, 2014). President Obama has stated that the EVD outbreak in West Africa is a public health emergency, a humanitarian crisis, and a national security priority, and has directed U.S. agencies and departments (including the Departments of State, Defense, and Health and Human Services, the Centers for Disease Control and Prevention, and the U.S. Agency for International Development) to assist West African governments in their responses. See www.whitehouse.gov/ebola-response. The President has also called on other nations

regarding the need for more robust commitments and rapid delivery of assistance by the international community.

QUALIFIED DISASTER RELIEF PAYMENTS EXCLUDED FROM RECIPIENTS' GROSS INCOME

Section 139(a) provides that gross income shall not include any amount received by an individual as a qualified disaster relief payment.

Section 139(b) provides that a qualified disaster relief payment includes any amount paid to or for the benefit of an individual—

(1) to reimburse or pay reasonable and necessary personal, family, living, or funeral expenses (not otherwise compensated for by insurance or otherwise) incurred as a result of a qualified disaster, or

(2) to reimburse or pay reasonable and necessary expenses (not otherwise compensated for by insurance or otherwise) incurred for the repair or rehabilitation of a personal residence or repair or replacement of its contents to the extent that the need for such repair, rehabilitation, or replacement is attributable to a qualified disaster.

Under § 139(c)(3) the term “qualified disaster” includes a disaster resulting from an event that is determined by the Secretary to be of a catastrophic nature.

DESIGNATION AS QUALIFIED DISASTER

The Commissioner of Internal Revenue, pursuant to a general delegation by the Secretary, has determined that the EVD outbreak occurring in the West African countries of Guinea, Liberia, and Sierra Leone is an event of a catastrophic nature under § 139(c)(3). Therefore, the EVD outbreak occurring in those countries is

designated as a qualified disaster under § 139.

SECTION 501(c)(3) ORGANIZATIONS

Employer-sponsored private foundations may choose to provide disaster relief to employee victims of the EVD outbreak in Guinea, Liberia, and Sierra Leone. Like all organizations described in § 501(c)(3), private foundations should exercise due diligence when providing disaster relief as set forth in Publication 3833, *Disaster Relief: Providing Assistance Through Charitable Organizations*.

DRAFTING INFORMATION

The principal author of this notice is Sheldon Iskow of the Office of Associate Chief Counsel (Income Tax & Accounting). For further information regarding this notice contact Mr. Iskow at (202) 317-4718 (not a toll-free call).