



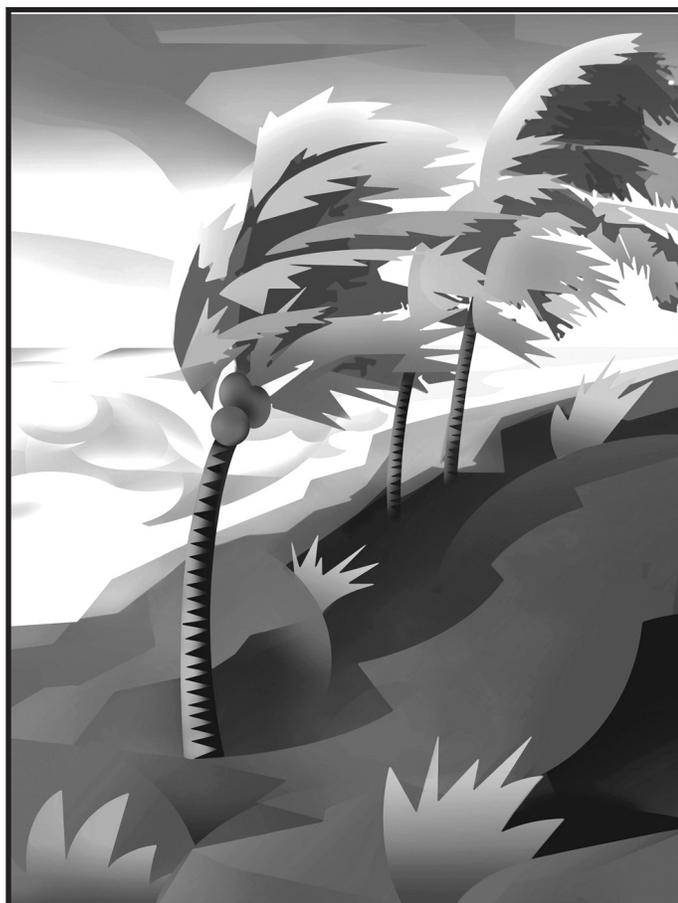
# Publication 976

(February 2018)

Cat. No. 71006W

# Disaster Relief

## New for 2017



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## Contents

<b>Future Developments</b> .....	<b>2</b>
<b>Disaster-Related Relief</b> .....	<b>2</b>
<b>Reminder</b> .....	<b>3</b>
<b>Introduction</b> .....	<b>3</b>
<b>Definitions</b> .....	<b>4</b>
2016 Qualified Disaster .....	<b>4</b>
2017 Qualified Disaster .....	<b>4</b>
Hurricane Harvey Disaster Area .....	<b>4</b>
Hurricane Harvey (or Tropical Storm Harvey) Covered Disaster Area .....	<b>4</b>
Hurricane Harvey Disaster Zone .....	<b>4</b>
Hurricane Irma Disaster Area .....	<b>4</b>
Hurricane Irma Covered Disaster Area .....	<b>5</b>
Hurricane Irma Disaster Zone .....	<b>5</b>
Hurricane Maria Disaster Area .....	<b>5</b>
Hurricane Maria Covered Disaster Area .....	<b>5</b>
Hurricane Maria Disaster Zone .....	<b>5</b>
California Wildfire Disaster Area .....	<b>5</b>
California Wildfire Covered Disaster Area .....	<b>6</b>
California Wildfire Disaster Zone .....	<b>6</b>
Victims of California Wildfires, Flooding, Mudflows, and Debris Flows .....	<b>6</b>
<b>Extended Tax Deadlines</b> .....	<b>6</b>
<b>Charitable Giving Incentives</b> .....	<b>7</b>
Temporary Suspension of Limits on Charitable Contributions .....	<b>7</b>
<b>Casualty and Theft Losses</b> .....	<b>7</b>
Qualified Disaster Losses .....	<b>8</b>
Election To Deduct Loss in the Preceding Year .....	<b>8</b>
Cost Indexes Safe Harbor Method To Calculate Hurricane-Related Losses to Personal-Use Residential Real Property .....	<b>8</b>
Safe Harbor Methods To Determine the Amount of Your Casualty and Theft Losses .....	<b>10</b>
<b>IRAs and Other Retirement Plans</b> .....	<b>11</b>
Definitions .....	<b>11</b>
Taxation of Qualified 2016 Disaster Distributions and Qualified 2017 Disaster Distributions .....	<b>12</b>
Repayment of Qualified Disaster Distributions ...	<b>12</b>
Repayment of Qualified Distributions for the Purchase or Construction of a Main Home ...	<b>13</b>
Loans From Qualified Plans .....	<b>13</b>
Information for Eligible Retirement Plans .....	<b>14</b>
<b>Days of Presence in a U.S. Territory</b> .....	<b>14</b>
<b>Additional Tax Relief for Individuals</b> .....	<b>14</b>
Earned Income Credit and Additional Child Tax Credit .....	<b>14</b>

<b>Additional Tax Relief for Businesses</b> . . . . .	<b>15</b>
Employee Retention Credit . . . . .	<b>15</b>
<b>Request for Copy or Transcript of Tax Return</b> . . . . .	<b>16</b>
<b>Qualified 2016 Disasters</b> . . . . .	<b>18</b>
<b>How To Get Tax Help</b> . . . . .	<b>19</b>
<b>Index</b> . . . . .	<b>22</b>

## Future Developments

For the latest information about developments related to Pub. 976, such as legislation enacted after it was published, go to [IRS.gov/Pub976](http://IRS.gov/Pub976).

## Disaster-Related Relief

### Special rules for claiming qualified disaster losses.

Personal casualty losses resulting from federally declared disasters that occurred in 2016, as well as certain 2017 disasters, including Hurricane Harvey and Tropical Storm Harvey, Hurricane Irma, Hurricane Maria, and the California wildfires, may be claimed as a qualified disaster loss. This special relief provided is a result of provisions contained in the Disaster Relief and Airport and Airway Extension Act of 2017, the Tax Reform Act of 2017, and the Bipartisan Budget Act of 2018. These provisions include the following.

- The \$100 limitation per casualty has been increased to \$500 for net qualified disaster losses.
- The 10% of adjusted gross income limit doesn't apply to net qualified disaster losses.
- You can claim your standard deduction increased by your net qualified disaster loss instead of itemizing deductions on Schedule A.

For more information about claiming relief, see [Casualty and Theft Losses](#), later.

### Cost indexes safe harbor method to calculate hurricane-related losses.

Generally, you must determine the decrease in the fair market value (FMV) of your lost or damaged property through either a competent appraisal or by the cost of repairs you actually made. However, if you sustained casualty losses for your personal-use residential real property damaged or destroyed by Hurricane Harvey, Irma, or Maria (or Tropical Storm Harvey), you may use the cost indexes safe harbor method described in Revenue Procedure 2018-09, 2018-2 I.R.B. 290, available at [IRS.gov/irb/2018-02\\_IRB#RP-2018-09](http://IRS.gov/irb/2018-02_IRB#RP-2018-09). For more information, see [Cost Indexes Safe Harbor Method To Calculate Hurricane-Related Losses to Personal-Use Residential Real Property](#), later.

### Safe harbor methods for individual taxpayers to determine casualty and theft losses.

Revenue Procedure 2018-08, 2018-2 I.R.B. 286, available at [IRS.gov/irb/2018-02\\_IRB#RP-2018-08](http://IRS.gov/irb/2018-02_IRB#RP-2018-08), provides safe harbor methods that you may use to figure your casualty and theft losses

from personal-use residential property and personal belongings, including some methods applicable only to losses from a federally declared disaster. To figure the amount of your casualty and theft losses, you generally must determine the actual reduction in the FMV of lost or damaged property using a competent appraisal or the cost of repairs you actually make. But the safe harbor methods in Revenue Procedure 2018-08 allow you to determine the decrease in FMV in other ways. For more information, see [Safe Harbor Methods To Determine the Amount of Your Casualty and Theft Losses](#), later.

### Extended filing deadline for certain taxpayers.

If you previously obtained a 6-month extension of time to file your original 2016 return and you are an affected taxpayer for purposes of Hurricane Harvey or Tropical Storm Harvey, Hurricane Irma, and the California wildfires, you have until January 31, 2018, or June 29, 2018, for taxpayers affected by Hurricane Maria in the U.S. Virgin Islands or Puerto Rico to timely file. See [IRS.gov/DisasterTaxRelief](http://IRS.gov/DisasterTaxRelief) for more information on which taxpayers have been granted additional time to file.

### Leave-based donation programs to aid victims of Hurricane Harvey and Tropical Storm Harvey, Hurricane Irma and Tropical Storm Irma, Hurricane Maria and Tropical Storm Maria, or the California wildfires that began on October 8, 2017.

Under these programs, employees may donate their vacation, sick, or personal leave in exchange for employer cash payments made before January 1, 2019, to qualified tax-exempt organizations providing relief for the victims of Hurricane Harvey and Tropical Storm Harvey, Hurricane Irma and Tropical Storm Irma, Hurricane Maria and Tropical Storm Maria, or the California wildfires that began on October 8, 2017. The donated leave won't be included in the income or wages of the employee. The employer may deduct the cash payments as business expenses or charitable contributions.

For victims impacted by:

- Hurricane Harvey and Tropical Storm Harvey, see Notice 2017-48, 2017-39 I.R.B. 254, available at [IRS.gov/irb/2017-39\\_IRB#NOT-2017-48](http://IRS.gov/irb/2017-39_IRB#NOT-2017-48).
- Hurricane Irma and Tropical Storm Irma, see Notice 2017-52, 2017-40 I.R.B. 262, available at [IRS.gov/irb/2017-40\\_IRB#NOT-2017-52](http://IRS.gov/irb/2017-40_IRB#NOT-2017-52).
- Hurricane Maria and Tropical Storm Maria, see Notice 2017-62, 2017-44 I.R.B. 460, available at [IRS.gov/irb/2017-44\\_IRB#NOT-2017-62](http://IRS.gov/irb/2017-44_IRB#NOT-2017-62).
- California wildfires that began on October 8, 2017, see Notice 2017-70, 2017-48 I.R.B. 543, available at [IRS.gov/irb/2017-48\\_IRB#NOT-2017-70](http://IRS.gov/irb/2017-48_IRB#NOT-2017-70).

### Special rules for tax-favored withdrawals and repayments from certain retirement plans.

New rules provide for certain tax-favored withdrawals and repayments from certain retirement plans for taxpayers who suffered economic losses as a result of disasters declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act during

calendar year 2016. New rules also provide for tax-favored withdrawals, repayments, and loans from certain retirement plans for taxpayers who suffered economic losses as a result of Hurricane Harvey and Tropical Storm Harvey, Hurricane Irma, Hurricane Maria, or the California wildfires. For more information, see [IRAs and Other Retirement Plans](#), later.

**Days of presence.** Due to Hurricane Irma and Hurricane Maria, the 14-day period of absence resulting from a major disaster, which does not count against your days of presence outside a relevant U.S. territory, has been extended to 268 days. For more information, see [Days of Presence in a U.S. Territory](#), later.

**Additional child tax credit calculations for certain bona fide residents of Puerto Rico.** As part of the disaster tax relief enacted for those impacted by Hurricane Irma or Hurricane Maria, certain bona fide residents of Puerto Rico may elect to calculate their additional child tax credit (ACTC) differently. For more information, see [Additional child tax credit for bona fide residents of Puerto Rico](#), later.

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## Reminder

**Photographs of missing children.** The IRS is a proud partner with the [National Center for Missing & Exploited Children® \(NCMEC\)](#). Photographs of missing children selected by the Center may appear in this publication on pages that would otherwise be blank. You can help bring these children home by looking at the photographs and calling 1-800-THE-LOST (1-800-843-5678) if you recognize a child.

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## Introduction

This publication explains special tax law provisions to help taxpayers and businesses to recover from the impact of 2016 qualified disasters and 2017 qualified disasters attributable to Hurricane Harvey and Tropical Storm Harvey, Hurricane Irma, Hurricane Maria, and the California wildfires. Information is also provided for taxpayers in certain areas in which the President has declared a major disaster in 2017, including for victims of California wildfires, flooding, mudflows, and debris flows. For information about claiming relief, see [IRS.gov/DisasterTaxRelief](#). For more information on disaster assistance and emergency relief for individuals and businesses, see [IRS.gov/DisasterRelief](#). For additional information on 2016 and 2017 federally declared disasters, see [FEMA.gov/Disasters](#).

**Comments and suggestions.** We welcome your comments about this publication and your suggestions for future editions.

You can send us comments through [IRS.gov/FormComments](#). Or you can write to:

Internal Revenue Service  
Tax Forms and Publications  
1111 Constitution Ave. NW, IR-6526  
Washington, DC 20224

Although we can't respond individually to each comment received, we do appreciate your feedback and will consider your comments as we revise our tax forms, instructions, and publications.

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**Tax questions.** If you have a tax question not answered by this publication, check IRS.gov and [How To Get Tax Help](#) at the end of this publication.

## Useful Items

You may want to see:

### Publications

- 526** Charitable Contributions
- 547** Casualties and Thefts
- 570** Tax Guide for Individuals With Income From U.S. Possessions
- 584** Casualty, Disaster, and Theft Loss Workbook
- 584-B** Business Casualty, Disaster, and Theft Loss Workbook
- 590-A** Contributions to Individual Retirement Arrangements (IRAs)
- 590-B** Distributions from Individual Retirement Arrangements (IRAs)
- 596** Earned Income Credit
- 2194** Disaster Resource Guide for Individuals and Businesses
- 3833** Disaster Relief—Providing Assistance Through Charitable Organizations

### Forms (and Instructions)

- Schedule 8812 (Form 1040A or 1040)** Child Tax Credit
- 1040-SS** U.S. Self-Employment Tax Return (Including the Additional Child Tax Credit for Bona Fide Residents of Puerto Rico)
- 1099-R** Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
- 4506** Request for Copy of Tax Return
- 4506-T** Request for Transcript of Tax Return
- 4684** Casualties and Thefts
- 5884-A** Credits for Affected Disaster Area Employers

- ❑ **8915A** Qualified 2016 Disaster Retirement Plan Distributions and Repayments
- ❑ **8915B** Qualified 2017 Disaster Retirement Plan Distributions and Repayments

See [How To Get Tax Help](#) at the end of this publication for information about getting these publications and forms.

## Definitions

The following definitions are used throughout this publication.

### 2016 Qualified Disaster

A **2016 qualified disaster** is a major disaster declared in calendar year 2016 for an area determined by the President of the United States under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to warrant federal disaster assistance. A 2016 qualified disaster area is an area for which such a major disaster was declared. See [Qualified 2016 Disasters](#) for a list of disasters declared by the President in 2016.



*Not all special disaster tax relief applies to 2016 qualified disasters. Certain personal casualty loss and retirement plan relief is available for 2016 qualified disasters. Other relief explained in this publication is only available for certain 2017 federally declared disasters.*

### 2017 Qualified Disaster

A **2017 qualified disaster** includes Hurricane Harvey and Tropical Storm Harvey, Hurricane Irma, Hurricane Maria, and the California wildfires. These disasters occurred in calendar year 2017 in areas determined by the President of the United States under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to warrant federal disaster assistance.



*Not all 2017 federally declared disasters are considered 2017 qualified disasters. Only Hurricane Harvey and Tropical Storm Harvey, Hurricane Irma, Hurricane Maria, and the California wildfires listed above are considered 2017 qualified disasters for special disaster tax relief purposes.*

## Hurricane Harvey Disaster Area

The **Hurricane Harvey disaster area** covers the area for which the President declared a major disaster before October 17, 2017, because of Hurricane Harvey. The Hurricane Harvey disaster area covers the entire state of Texas.

Tropical Storm Harvey in Louisiana is also covered under the definition of the Hurricane Harvey disaster area and covers the entire state of Louisiana.

## Hurricane Harvey (or Tropical Storm Harvey) Covered Disaster Area

A portion of the Hurricane Harvey disaster area has been designated by the IRS as a covered disaster area. The **Hurricane Harvey (or Tropical Storm Harvey) covered disaster area** covers the following counties and parishes in Louisiana and Texas.

**Louisiana.** Acadia, Allen, Assumption, Beauregard, Calcasieu, Cameron, De Soto, Iberia, Jefferson Davis, Lafayette, Lafourche, Natchitoches, Plaquemines, Rapides, Red River, Sabine, St. Charles, St. Mary, Vermilion, and Vernon.

**Texas.** Aransas, Austin, Bastrop, Bee, Bexar, Brazoria, Burleson, Caldwell, Calhoun, Chambers, Colorado, Comal, Dallas, DeWitt, Fayette, Fort Bend, Galveston, Goliad, Gonzales, Grimes, Guadalupe, Hardin, Harris, Jackson, Jasper, Jefferson, Jim Wells, Karnes, Kleberg, Lavaca, Lee, Liberty, Madison, Matagorda, Milam, Montgomery, Newton, Nueces, Orange, Polk, Refugio, Sabine, San Augustine, San Jacinto, San Patricio, Tarrant, Travis, Tyler, Victoria, Walker, Waller, Washington, and Wharton.

To ensure correct processing, affected taxpayers should write in red ink, or type if filing electronically, the assigned disaster designation (either "Louisiana, Tropical Storm Harvey" or "Texas, Hurricane Harvey"), at the top of any forms or documents filed with the IRS. Affected taxpayers can also identify themselves to the IRS or ask hurricane-related questions by calling the special IRS disaster hotline at **1-866-562-5227**.

## Hurricane Harvey Disaster Zone

The term **Hurricane Harvey disaster zone** means that portion of the Hurricane Harvey disaster area determined by the President to warrant individual or individual and public assistance from the federal government by reason of Hurricane Harvey.

The following counties are in the Hurricane Harvey disaster zone.

**Texas.** Aransas, Austin, Bastrop, Bee, Brazoria, Caldwell, Calhoun, Chambers, Colorado, DeWitt, Fayette, Fort Bend, Galveston, Goliad, Gonzales, Grimes, Hardin, Harris, Jackson, Jasper, Jefferson, Karnes, Kleberg, Lavaca, Lee, Liberty, Matagorda, Montgomery, Newton, Nueces, Orange, Polk, Refugio, Sabine, San Jacinto, San Patricio, Tyler, Victoria, Walker, Waller, and Wharton.

## Hurricane Irma Disaster Area

The **Hurricane Irma disaster area** covers the area for which the President declared a major disaster before October 17, 2017, because of Hurricane Irma. The Hurricane Irma disaster area covers the entire states of Florida, Georgia, and South Carolina, the territory of the U.S. Virgin Islands, and the Commonwealth of Puerto Rico.

## Hurricane Irma Covered Disaster Area

A portion of the Hurricane Irma disaster area has been designated by the IRS as a covered disaster area. The **Hurricane Irma covered disaster area** covers areas in the following territories and states.

**Florida.** All 67 counties in Florida.

**Georgia.** All 159 counties in Georgia.

**Puerto Rico.** The municipalities of Adjuntas, Aguas Buenas, Barranquitas, Bayamón, Camuy, Carolina, Cataño, Ciales, Comerío, Culebra, Canóvanas, Dorado, Fajardo, Guaynabo, Gurabo, Hatillo, Jayuya, Juncos, Las Piedras, Loíza, Luquillo, Naguabo, Orocovich, Patillas, Quebradillas, Salinas, San Juan, Toa Baja, Utuado, Vega Baja, Vieques, and Yauco.

**South Carolina.** The counties of Abbeville, Allendale, Anderson, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Edgefield, Georgetown, Hampton, Jasper, McCormick, Newberry, Oconee, Pickens, and Saluda.

**U.S. Virgin Islands.** The Islands of St. Croix, St. John, and St. Thomas.

To ensure correct processing, affected taxpayers should write in red ink, or type if filing electronically, the assigned disaster designation (either "Florida, Hurricane Irma," "Georgia, Hurricane Irma," "U.S. Virgin Islands, Hurricane Irma," "Puerto Rico, Hurricane Irma," or "South Carolina, Hurricane Irma"), at the top of any forms or documents filed with the IRS. Affected taxpayers can also identify themselves to the IRS or ask hurricane-related questions by calling the special IRS disaster hotline at **1-866-562-5227**.

## Hurricane Irma Disaster Zone

The term **Hurricane Irma disaster zone** means that portion of the Hurricane Irma disaster area determined by the President to warrant individual or individual and public assistance from the federal government by reason of Hurricane Irma.

The following U.S. counties, municipalities, and islands are in the Hurricane Irma disaster zone.

**Florida.** Alachua, Baker, Bradford, Brevard, Broward, Charlotte, Citrus, Clay, Collier, Columbia, DeSoto, Dixie, Duval, Flagler, Gilchrist, Glades, Hamilton, Hardee, Hendry, Hernando, Highlands, Hillsborough, Indian River, Lafayette, Lake, Lee, Levy, Manatee, Marion, Martin, Miami-Dade, Monroe, Nassau, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, Sarasota, Seminole, St. Johns, St. Lucie, Sumter, Suwannee, Union, and Volusia.

**Georgia.** Camden, Charlton, Chatham, Coffee, Glynn, Liberty, and McIntosh.

**Puerto Rico.** Canóvanas, Catano, Culebra, Dorado, Fajardo, Loíza, Luquillo, Toa Baja, Vega Baja, and Vieques.

**U.S. Virgin Islands.** The Islands of St. John and St. Thomas.

## Hurricane Maria Disaster Area

The **Hurricane Maria disaster area** covers the area for which the President declared a major disaster before September 21, 2017, because of Hurricane Maria. The Hurricane Maria disaster area covers the entire territory of the U.S. Virgin Islands and the Commonwealth of Puerto Rico.

## Hurricane Maria Covered Disaster Area

A portion of the Hurricane Maria disaster area has been designated by the IRS as a covered disaster area. The **Hurricane Maria covered disaster area** covers areas in the following municipalities and islands.

**Puerto Rico.** All 78 municipalities in Puerto Rico.

**U.S. Virgin Islands.** The Islands of St. Croix, St. John, and St. Thomas.

To ensure correct processing, affected taxpayers should write in red ink, or type if filing electronically, the assigned disaster designation (either "Puerto Rico, Hurricane Maria" or "U.S. Virgin Islands, Hurricane Maria"), at the top of any forms or documents filed with the IRS. Affected taxpayers can also identify themselves to the IRS or ask hurricane-related questions by calling the special IRS disaster hotline at **1-866-562-5227**.

## Hurricane Maria Disaster Zone

The term **Hurricane Maria disaster zone** means that portion of the Hurricane Maria disaster area determined by the President to warrant individual or individual and public assistance from the federal government by reason of Hurricane Maria.

The following municipalities and islands are in the Hurricane Maria disaster zone.

**Puerto Rico.** All 78 municipalities in Puerto Rico.

**U.S. Virgin Islands.** The Islands of St. Croix, St. John, and St. Thomas.

## California Wildfire Disaster Area

The **California wildfire disaster area** covers the area for which the President declared a major disaster between January 1, 2017, through January 18, 2018, because of the California wildfires. The California wildfire disaster area covers the entire state of California.

## California Wildfire Covered Disaster Area

A portion of the California wildfire disaster area has been designated by the IRS as a covered disaster area. The **California wildfire covered disaster area** covers Butte, Lake, Mendocino, Napa, Nevada, Orange, Solano, Sonoma, and Yuba counties.

To ensure correct processing, affected taxpayers should write in red ink, or type if filing electronically, the assigned disaster designation, "California, Wildfires," at the top of any forms or documents filed with the IRS. Affected taxpayers can also identify themselves to the IRS or ask wildfire-related questions by calling the special IRS disaster hotline at **1-866-562-5227**.

## California Wildfire Disaster Zone

The term **California wildfire disaster zone** means that portion of the California wildfire disaster area determined by the President to warrant individual or individual and public assistance from the federal government by reason of the California wildfires.

The following counties are in the California wildfire disaster zone.

**California.** Butte, Lake, Mendocino, Napa, Nevada, Orange, Sonoma, and Yuba.

## Victims of California Wildfires, Flooding, Mudflows, and Debris Flows

The **California wildfires, flooding, mudflows, and debris flows covered disaster area** has been designated by the IRS and covers Los Angeles, San Diego, Santa Barbara, and Ventura counties.

To ensure correct processing, affected taxpayers should write in red ink, or type if filing electronically, the assigned disaster designation, "California, Wildfires, Flooding, Mudflows, and Debris Flows," at the top of any forms or documents filed with the IRS. Affected taxpayers can also identify themselves to the IRS or ask related questions by calling the special IRS disaster hotline at **1-866-562-5227**.

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## Extended Tax Deadlines

The IRS has extended deadlines that apply to filing returns, paying taxes, and performing certain other time-sensitive acts for certain taxpayers affected by Hurricane Harvey, Tropical Storm Harvey, Hurricane Irma, or the California wildfires, until **January 31, 2018**; until **April 30, 2018**, for taxpayers affected by the California wildfires, flooding, mudflows, and debris flows; or until **June 29, 2018**, for taxpayers affected by Hurricane Maria in Puerto Rico and the U.S. Virgin Islands. The extension

applies to deadlines (either an original or extended due date) that occur during the following periods.

- After August 22, 2017, and before January 31, 2018, for Texas taxpayers affected by Hurricane Harvey.
- After August 26, 2017, and before January 31, 2018, for Louisiana taxpayers affected by Tropical Storm Harvey.
- After September 3, 2017, and before January 31, 2018, for Florida taxpayers affected by Hurricane Irma.
- After September 4, 2017, and before January 31, 2018, for U.S. Virgin Islands and Puerto Rico taxpayers affected by Hurricane Irma.
- After September 5, 2017, and before January 31, 2018, for South Carolina taxpayers affected by Hurricane Irma.
- After September 6, 2017, and before January 31, 2018, for Georgia taxpayers affected by Hurricane Irma.
- After September 15, 2017, and before June 29, 2018, for U.S. Virgin Islands taxpayers affected by Hurricane Maria.
- After September 16, 2017, and before June 29, 2018, for Puerto Rico taxpayers affected by Hurricane Maria.
- After October 7, 2017, and before January 31, 2018, for taxpayers affected by the California wildfires.
- After December 3, 2017, and before April 30, 2018, for taxpayers affected by the California wildfires, flooding, mudflows, and debris flows.

**Affected taxpayer.** The following taxpayers are eligible for the extension.

- Any individual whose main home is located in a covered disaster area.
- Any business entity or sole proprietor whose principal place of business is located in a covered disaster area.
- Any individual who is a relief worker affiliated with a recognized government or philanthropic organization and who is assisting in a covered disaster area.
- Any individual, business entity, or sole proprietorship whose records are needed to meet a postponed tax deadline, provided those records are maintained in a covered disaster area. The main home or principal place of business doesn't have to be located in the covered disaster area.
- Any estate or trust that has tax records necessary to meet a postponed tax deadline, provided those records are maintained in a covered disaster area.
- The spouse on a joint return with a taxpayer who is eligible for postponements.
- Any individual, business entity, or sole proprietorship not located in a covered disaster area, but whose

records necessary to meet a postponed tax deadline are located in the covered disaster area.

- Any individual visiting the covered disaster area who was killed or injured as a result of the disaster.
- Any other person determined by the IRS to be affected by a federally declared disaster.

**Acts extended.** Deadlines for performing the following acts are extended.

- Filing any return of income, estate, gift, generation-skipping transfer, excise, or employment tax.
- Paying any income, estate, gift, generation-skipping transfer, excise, or employment tax. This includes making estimated tax payments.
- Making certain contributions, distributions, recharacterizing contributions, or making a rollover to or from a qualified retirement plan.
- Filing certain petitions with the Tax Court.
- Filing a claim for credit or refund of any tax.
- Bringing suit upon a claim for credit or refund.
- Certain other acts described in Revenue Procedure 2007-56, 2007-34 I.R.B. 388, available at [IRS.gov/irb/2007-34\\_IRB#RP-2007-56](https://www.irs.gov/irb/2007-34_IRB#RP-2007-56).

**Forgiveness of interest and penalties.** The IRS may forgive the interest and penalties on any underpaid income, estate, gift, employment, or excise tax for the length of any extension.

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## Charitable Giving Incentives

### Temporary Suspension of Limits on Charitable Contributions

**Individuals.** In most cases, the amount of charitable contributions you can deduct on Schedule A as an itemized deduction is limited to a percentage (usually 50%) of your adjusted gross income (AGI) and by an overall limitation on itemized deductions. Qualified contributions are not subject to these two limitations. But see [Limitation](#), later, for a limit that does apply. A “qualified contribution” must meet the following criteria.

- It is a charitable contribution paid in cash or check after August 22, 2017, and before January 1, 2018, for Hurricane Harvey or Tropical Storm Harvey, Hurricane Irma, or Hurricane Maria; or after October 7, 2017, and before January 1, 2018, for California wildfires.
- It is paid to a 50% limit organization (other than certain private foundations described in section 509(a)(3)).
- It is payable for relief efforts in the Hurricane Harvey disaster area, the Hurricane Irma disaster area, the Hurricane Maria disaster area, or the California wildfire disaster area.

- You obtain contemporaneous written acknowledgment (within the meaning of section 170(f)(8)) from the organization that such contribution was used for relief efforts.
- You elect to treat the charitable contribution as a qualified contribution.

**Exception.** Qualified contributions don’t include a contribution to a segregated fund or account for which you (or any person you appoint or designate) have or expect to have advisory privileges with respect to distributions or investments based on your contribution.

**Limitation.** Your deduction for qualified contributions is limited to your AGI minus your deduction for all other charitable contributions. You can carry over any contributions you are not able to deduct for 2017 because of this limit. In 2018, treat the carryover of your unused qualified contributions as a carryover of contributions subject to the 50% limit.

**Election.** You make the election by entering the amount of your qualified contributions on the dotted line next to line 16 of Schedule A. Be sure to also include this amount in the total you report on line 16.

**Corporations.** A corporation (other than an S corporation) may elect to deduct qualified cash contributions without regard to the 10% taxable income limit if the contributions were made for relief efforts after August 22, 2017, and before January 1, 2018, for Hurricane Harvey or Tropical Storm Harvey, Hurricane Irma, or Hurricane Maria; or after October 7, 2017, and before January 1, 2018, for California wildfires, to a qualified charitable organization (other than certain private foundations described in section 509(a)(3)) or donor advised funds described in section 4966(d)(2). The corporation’s deduction for these qualified contributions is limited to 100% of taxable income (as modified for the 10% limit) minus the corporation’s deduction for all other charitable contributions. Any qualified contributions over this limit can be carried over to the next 5 years, subject to the 10% limit.

**Partners and shareholders.** Each partner in a partnership and each shareholder in an S corporation makes a separate election to have the appropriate limit not apply.

**More information.** For more information, see Pub. 526, Charitable Contributions. Pub. 526 includes a worksheet you can use to figure your deduction if any limits apply to your charitable contributions.

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## Casualty and Theft Losses

The following section provides information on special relief related to personal casualty losses. For more information, see Form 4684, Casualties and Thefts, and its separate instructions, and Pub. 547.

## Qualified Disaster Losses

Personal casualty losses resulting from federally declared disasters that occurred in 2016, as well as Hurricane Harvey or Tropical Storm Harvey, Hurricane Irma, Hurricane Maria, and the California wildfires that occurred in 2017, may be claimed as a qualified disaster loss on your Form 4684. You can deduct 2016 and 2017 qualified disaster losses for both regular and AMT purposes without itemizing other deductions on Schedule A. Moreover, your net casualty loss from these qualified disasters does not need to exceed 10% of your AGI to qualify for the deduction, but the \$100 limit per casualty is increased to \$500. See [Qualified 2016 Disasters](#), later, for a list of 2016 federally declared disasters, and [Qualified 2017 disaster losses](#) next.

**Qualified 2017 disaster losses.** A qualified 2017 disaster loss is a personal casualty loss caused by:

- Hurricane Harvey or Tropical Storm Harvey in the Hurricane Harvey disaster area after August 22, 2017,
- Hurricane Irma in the Hurricane Irma disaster area after September 3, 2017,
- Hurricane Maria in the Hurricane Maria disaster area after September 15, 2017, or the
- California wildfires in the California wildfire disaster area after October 7, 2017.

In addition, the federal disaster declaration must have been made before September 21, 2017, for Hurricane Maria; before October 17, 2017, for Hurricane Harvey or Tropical Storm Harvey and Hurricane Irma; and between January 1, 2017, through January 18, 2018, for California wildfires.

See Form 4684 and its separate instructions for information and computational rules on claiming the special relief for these qualified disaster losses when completing line 11 and line 15 of Form 4684.

## Election To Deduct Loss in the Preceding Year

Casualty and theft losses are generally deductible only in the year the loss was sustained. A loss is generally sustained in the year in which the casualty or theft occurred. A loss may be treated as sustained in a later year if, for example, a claim for reimbursement from insurance is pending in the year in which the casualty or theft occurred. However, if you have a casualty loss attributable to a federally declared disaster that occurred in an area warranting public or individual assistance (or both), you can elect to deduct the loss in the tax year immediately before the loss was sustained. Therefore, if you sustained a [qualified 2017 disaster loss](#), you may choose to take the loss into account on your 2016 tax return instead of your 2017 tax return. A list of areas warranting public or individual assistance (or both) is available at the Federal Emergency Management Agency (FEMA) website at [FEMA.gov/Disasters](#).

This election must be made by filing your return or amended return for the earlier year, and claiming your disaster loss on it, on or before the date that is six months after the regular due date for filing your original return (without extensions) for the disaster year. For most people, that means you can make the election to deduct a disaster loss sustained in 2017 on your amended 2016 return on or before October 15, 2018.

If you previously obtained a 6-month extension of time to file your original 2016 return and you are an affected taxpayer as a result of a [qualified 2017 disaster loss](#), you have until January 31, 2018, to timely file and make this election, except that taxpayers affected by Hurricane Maria in Puerto Rico or the U.S. Virgin Islands have until June 29, 2018, to do so.

**Claiming qualified 2017 disaster losses on an original or amended 2016 return.** If you are filing or amending your 2016 tax return, write “Federally Declared Disaster” if you have a qualified 2017 disaster loss across the top of your Form 1040, Form 1040NR, or Form 1040X (whichever applies). You must also complete and attach Schedule A and the 2016 Form 4684. If you already filed your 2016 tax return, you can amend it to claim your qualified disaster loss by filing a Form 1040X. See the 2016 Instructions for Form 4684 for more information.

If you have not filed your 2016 tax return and you want to deduct or increase your standard deduction by your net qualified disaster loss on your 2016 tax return, you must file on paper. You may not file electronically. Use either Form 1040 or Form 1040NR. Write “Federally Declared Disaster” across the top of your paper tax return. To figure your net qualified disaster loss, see the Instructions for Form 4684.

## Cost Indexes Safe Harbor Method To Calculate Hurricane-Related Losses to Personal-Use Residential Real Property

Revenue Procedure 2018-09, 2018-2 I.R.B. 290, available at [IRS.gov/irb/2018-02\\_IRB#RP-2018-09](#), provides a safe harbor method you may use to calculate the amount of your casualty losses for your personal-use residential real property damaged or destroyed in Texas, Louisiana, Florida, Georgia, South Carolina, the Commonwealth of Puerto Rico, or the territory of the U.S. Virgin Islands as a result of Hurricane Harvey, Tropical Storm Harvey, Hurricane Irma, or Hurricane Maria.

To figure your casualty losses, you generally must determine the decrease in the fair market value (FMV) of the damaged property using a competent appraisal or the cost of repairs you actually make. But Revenue Procedure 2018-09 provides a safe harbor method that allows you to determine the decrease in the FMV of your personal-use residential real property in other ways. If you qualify for and use the cost indexes safe harbor method described in Revenue Procedure 2018-09, the IRS will not challenge your determination. The use of the cost indexes safe

harbor method described in Revenue Procedure 2018-09 is not mandatory.

Under the cost indexes safe harbor method, you may use one or more cost indexes to figure the casualty loss to your personal-use residential real property. The cost indexes safe harbor method may be used if you suffered any losses listed under [Damage categories](#), later.

Revenue Procedure 2018-09 provides tables and calculation methods to determine the decrease in the FMV for each category based on the cost per square foot or percentage of damage, the size of the property, and the geographic location.

**Personal-use residential real property.** Personal-use residential real property generally is real property, including improvements, that is owned by the individual who suffered a casualty loss and that contains at least one personal residence. It does not include a personal residence if any part of the personal residence is used as rental property or contains a home office used in a trade or business or transaction entered into for profit. For this purpose, a personal residence is a single-family residence or a single unit within a townhouse, duplex, or similar group of attached units. It includes any enclosed structures attached to the residence or unit, such as a garage. It does not include a deck or screened-in porch. It also does not include a mobile home, trailer, condominium, or any other buildings in which you have less than full ownership in all of the structural components, such as the roof, foundation, or exterior walls.



*Personal-use residential real property does not include residential rental property, a residence that contains a home office, or a structure that contains five or more residential units.*

**Improvements.** The cost indexes safe harbor method applies only to three types of improvements on personal-use residential real property.

- A personal residence.
- A detached structure of enclosed wood-frame construction, with some electrical capabilities, no heating or air conditioning, and little or no interior finishing.
- A deck.

**Damage categories.** Revenue Procedure 2018-09 provides seven index tables that correspond to each of the categories listed below and information on how to calculate the decrease in the FMV of personal-use residential real property in each of the tables. The tables include the cost per square foot, taking into account the personal residence size or percentage of damage to the residence and the location. The damage categories are:

- Total loss of a personal residence;
- Near total loss of a personal residence;
- Interior flooding of more than one foot in a personal residence;
- Structural damage from wind, rain, or debris to a personal residence;

- Roof covering damage from wind, rain, or debris to a personal residence;
- Damage to a detached structure; and
- Damage to decking.

Special rules apply if you need to use multiple categories. See Revenue Procedure 2018-09.

**Total loss of a personal residence.** You had a total loss of a personal residence if, during one of the 2017 hurricanes, the residence sustained damage that caused any of the following.

- The personal residence either collapsed or became structurally unsound.
- The state or local government (or a political subdivision of either) has ordered that the personal residence be demolished or relocated.
- You sold the personal residence to an unrelated party for a price that reflects the FMV solely of the land on which the residence sits.
- A near total loss of the residence and you demolished the residence.

**Near total loss of a personal residence.** A near total loss of a personal residence occurred if, during one or more of the 2017 hurricanes, the residence sustained severe damage requiring you to remove and dispose of substantially all interior wall frame coverings (including drywall), floorings, electrical lines, ducts, plumbing, and other fixtures. To qualify, only the wood frame, rafters, and outside facade of the personal residence can remain structurally sound and reusable.

**Structural damage from wind, rain, or debris to a personal residence.** Structural damage from wind, rain, or debris occurred if, during one or more of the 2017 hurricanes, a personal residence sustained major structural damage to the roof and/or outside wall(s) from wind or windblown debris that exposed part or all of the residence's interior to rain or debris, requiring substantial renovation of the damaged areas. Substantial renovation requires the removal and replacement of drywall or other wall frame coverings, replacement of trim, and repair and painting of the damaged interior areas of the personal residence.

**Damage to a detached structure.** Damage to a detached structure occurred if the structure sustained damage during one or more of the 2017 hurricanes that required either complete or major rebuilding.

**Increases to safe harbor loss amount.** The decrease in the FMV determined under the safe harbor is the full amount of the decrease and cannot be increased by amounts related to items such as landscaping, debris removal, or demolition.

**Decreases to safe harbor loss amount.** The loss determined through this method must be reduced by the value of any repairs provided by a third party at no cost (for example, work done by volunteers or via donations) to you. Figure the value of a no-cost repair by multiplying the

total square footage completely repaired at no cost to you by the same cost index used to determine the decrease in the FMV of the property.

Additionally, reduce your loss by the amount of any insurance, reimbursements, or other compensation received.

**Reporting requirements on Form 4684.** Attach a statement to Form 4684 stating that you used Revenue Procedure 2018-09 to determine the amount of your casualty loss. Include the specific table number used. When completing Form 4684, don't enter an amount on line 5 or line 6 for each property. Instead, enter the decrease in the FMV determined using the safe harbor method on line 7.

For additional information, see Revenue Procedure 2018-09. You may qualify to use other safe harbor methods as well. See Revenue Procedure 2018-08 for more information.

## Safe Harbor Methods To Determine the Amount of Your Casualty and Theft Losses

Revenue Procedure 2018-08, 2018-2 I.R.B. 286, available at [IRS.gov/irb/2018-02\\_IRB#RP-2018-08](https://www.irs.gov/irb/2018-02_IRB#RP-2018-08), provides safe harbor methods that you may use to figure your casualty and theft losses to your personal-use residential property and personal belongings, including some methods applicable only to losses from a federally declared disaster. To figure the amount of your casualty and theft losses, you generally must determine the actual reduction in the FMV of lost or damaged property using a competent appraisal or the cost of repairs you actually make. But the safe harbor methods in Revenue Procedure 2018-08 allow you to determine the decrease in FMV in other ways. The use of a safe harbor method described in Revenue Procedure 2018-08 is not mandatory.

**Personal-use residential real property safe harbor methods.** Personal-use residential real property generally is real property, including improvements, that is owned by the individual who suffered a casualty loss and that contains at least one personal residence. It does not include a personal residence if any part of the personal residence is used as rental property or contains a home office used in a trade or business or transaction entered into for profit. For more details, see Revenue Procedure 2018-08.

The safe harbor methods for personal-use residential real property available through Revenue Procedure 2018-08 are the following.

- Estimated repair cost method.
- De minimis method.
- Insurance method.
- Federally declared disaster method—Contractor safe harbor.
- Federally declared disaster method—Disaster loan appraisal.

**Estimated repair cost method.** The estimated repair cost safe harbor method allows you to figure the decrease in the FMV of your personal-use residential real property using the lesser of two repair estimates prepared by separate and independent licensed contractors. The estimates must detail the itemized costs to restore your property to its condition immediately before the casualty. The estimated repair cost safe harbor method is limited to casualty losses of \$20,000 or less.

**De minimis method.** The de minimis safe harbor method allows you to figure the decrease in the FMV of your personal-use residential real property based on a written good-faith estimate of the cost of repairs required to restore your property to its condition immediately before the casualty. You must keep documentation showing how you estimated the amount of your loss. The de minimis safe harbor method is available for casualty losses of \$5,000 or less.

**Insurance method.** The insurance safe harbor method allows you to figure the decrease in the FMV of your personal-use residential real property based upon the estimated loss in reports prepared by your homeowners' or flood insurance company. These reports must set forth the estimated loss you sustained from the damage to or the destruction of your property.

**Federally declared disaster method—Contractor safe harbor.** If the loss occurred in a disaster area and was due to a federally declared disaster, then you may use the contractor safe harbor method or the disaster loan appraisal method. Under the contractor safe harbor method, you may use the contract price for the repairs specified in a contract prepared by an independent and licensed contractor to determine the decrease in the FMV of your personal-use residential real property. This safe harbor method does not apply unless you are subject to a binding contract signed by you and the contractor setting forth the itemized costs to restore your personal-use residential real property to its condition immediately before the casualty.

**Federally declared disaster method—Disaster loan appraisal.** Under the disaster loan appraisal safe harbor method, you may use an appraisal prepared to obtain a loan of federal funds or a loan guarantee from the federal government that identifies your estimated loss from a federally declared disaster to determine the decrease in the FMV of your personal-use residential real property.

**Personal belongings safe harbor methods.** Personal belongings generally include items of tangible personal property owned by an individual who suffered a casualty or theft loss if they are not used in a trade or business. Personal belongings do not include an item that maintains or increases its value over time or certain other types of property. For more details, see Revenue Procedure 2018-08.

The safe harbor methods for personal belongings are the de minimis method and the replacement cost safe harbor method for federally declared disasters. Under the de

minimis method, you can make a good faith estimate of the decrease in the FMV of your personal belongings. You must maintain records describing your affected personal belongings as well as your methodology for estimating your loss. This method is limited to losses of \$5,000 or less.

The replacement cost safe harbor method for federally declared disasters allows you to determine the FMV of your personal belongings located in a disaster area immediately before a federally declared disaster to figure the amount of your casualty or theft loss. To use the replacement cost safe harbor method, you must first determine the current cost to replace each of your personal belongings with a new item and then reduce that amount by 10% for each year you have owned each personal belonging. See Personal Belongings Valuation Table in Revenue Procedure 2018-08 in the *Replacement Cost Safe Harbor Method*. If you choose to use the replacement cost safe harbor method, then you must use that method for all your personal belongings, with certain exceptions identified in Revenue Procedure 2018-08.

Each of these safe harbor methods is subject to additional rules and exceptions. For additional information, see Revenue Procedure 2018-08.

**Decreases to safe harbor loss amount.** The loss determined through the safe harbor methods must be reduced by the value of any repairs provided by a third party at no cost (for example, work done by volunteers or via donations) to you. Additionally, reduce your loss by the amount of any insurance, reimbursements, or other compensation received.

**Reporting requirements on Form 4684.** Attach a statement to Form 4684 stating that you used Revenue Procedure 2018-08 to determine the amount of your casualty loss. Include the specific safe harbor method used. When completing Form 4684, do not enter an amount on line 5 or line 6 for each property. Instead, enter the decrease in the FMV determined under the relevant safe harbor method on line 7.

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## IRAs and Other Retirement Plans

New rules provide for tax-favored withdrawals and repayments from certain retirement plans for taxpayers who suffered economic losses as a result of disasters declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act during calendar year 2016. See [Qualified 2016 Disasters](#) for a list of 2016 disasters declared by the President.

New rules also provide for tax-favored withdrawals, repayments, and loans from certain retirement plans for taxpayers who suffered economic losses as a result of Hurricane Harvey or Tropical Storm Harvey, Hurricane Irma, Hurricane Maria, or the California wildfires.

The principles set forth in Notice 2005-92, 2005-51 I.R.B. 165, available at [IRS.gov/irb/](#)

[2005-51 IRB#NOT-2005-92](#), which provides guidance on the tax-favored treatment of distributions and plan loans for victims of Hurricane Katrina, also generally apply to these new rules.

Certain information for eligible retirement plans is provided at the end of this section.

## Definitions

**Qualified 2016 disaster distribution.** A qualified 2016 disaster distribution is any distribution you received from an eligible retirement plan made on or after January 1, 2016, and before January 1, 2018, if at any time during the calendar year 2016 your main home was located in a major disaster area declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act and you sustained an economic loss by reason of the events giving rise to such Presidential declaration. If the previous sentence applies to you, you can generally designate any distribution (including a periodic payment or a required minimum distribution) from an eligible retirement plan as a qualified 2016 disaster distribution, regardless of whether the distribution was made on account of a federally declared disaster in calendar year 2016. Qualified 2016 disaster distributions are permitted without regard to your need or the actual amount of your [economic loss](#), described later.

The total of your qualified 2016 disaster distributions from all plans is limited to \$100,000. If you have distributions from more than one type of plan, such as a 401(k) plan and an IRA, and the total exceeds \$100,000, you may allocate the \$100,000 limit among the plans by any reasonable method.

**Qualified 2017 disaster distribution.** A qualified 2017 disaster distribution is any distribution you received from an eligible retirement plan if all of the following apply.

1. The distribution was made:
  - a. After August 22, 2017, and before January 1, 2019, for Hurricane Harvey or Tropical Storm Harvey;
  - b. After September 3, 2017, and before January 1, 2019, for Hurricane Irma;
  - c. After September 15, 2017, and before January 1, 2019, for Hurricane Maria; or
  - d. After October 7, 2017, and before January 1, 2019, for California wildfires.
2. Your main home was located in a disaster area listed below on the date or any date in the period shown for that area.
  - a. August 23, 2017, for the Hurricane Harvey disaster area.
  - b. September 4, 2017, for the Hurricane Irma disaster area.
  - c. September 16, 2017, for the Hurricane Maria disaster area.

d. October 8, 2017, to December 31, 2017, for the California wildfire disaster area.

3. You sustained an economic loss because of Hurricane Harvey or Tropical Storm Harvey, Hurricane Irma, Hurricane Maria, or the California wildfires.

If 1 through 3 above apply, you can generally designate any distribution (including a periodic payment or a required minimum distribution) from an eligible retirement plan as a qualified 2017 disaster distribution, regardless of whether the distribution was made on account of Hurricane Harvey or Tropical Storm Harvey, Hurricane Irma, Hurricane Maria, or the California wildfires. Qualified 2017 disaster distributions are permitted without regard to your need or the actual amount of your [economic loss](#), described later.

The total of your qualified 2017 disaster distributions from all plans is limited to \$100,000 for Hurricane Harvey, Tropical Storm Harvey, Hurricane Irma, or Hurricane Maria, and \$100,000 for the California wildfires. If you have distributions from more than one type of plan, such as a 401(k) plan and an IRA, and the total exceeds \$100,000 for either category, you may allocate the \$100,000 limit among the plans by any reasonable method.

A reduction or offset (after August 22, 2017, for Hurricane Harvey or Tropical Storm Harvey; after September 3, 2017, for Hurricane Irma; after September 15, 2017, for Hurricane Maria; or after October 7, 2017, for California wildfires) of your account balance in an eligible retirement plan in order to repay a plan loan can also be designated as a qualified disaster distribution.

**Economic loss.** Qualified disaster distributions are permitted without regard to your need or the actual amount of your economic loss. Examples of an economic loss include, but are not limited to:

1. Loss, damage to, or destruction of real or personal property from fire, flooding, looting, vandalism, theft, wind, or other cause;
2. Loss related to displacement from your home; or
3. Loss of livelihood due to temporary or permanent layoffs.

**Eligible retirement plan.** An eligible retirement plan can be any of the following.

- A qualified pension, profit-sharing, or stock bonus plan (including a 401(k) plan).
- A qualified annuity plan.
- A tax-sheltered annuity contract.
- A governmental section 457 deferred compensation plan.
- A traditional, SEP, SIMPLE, or Roth IRA.

**Main home.** Generally, your main home is the home where you live most of the time. A temporary absence due to special circumstances, such as illness, education, business, military service, evacuation, or vacation, will not change your main home.

## Taxation of Qualified 2016 Disaster Distributions and Qualified 2017 Disaster Distributions

Qualified 2016 disaster distributions and qualified 2017 disaster distributions are included in income in equal amounts over three years. However, if you elect, you can include the entire qualified 2016 disaster distribution or the entire qualified 2017 disaster distribution in your income in the year it was received.

Qualified 2016 disaster distributions and qualified 2017 disaster distributions are not subject to the additional 10% tax (or the additional 25% tax for certain distributions from SIMPLE IRAs) on early distributions from qualified retirement plans (including IRAs). Also, if you are receiving substantially equal periodic payments from a qualified retirement plan, the receipt of a qualified 2016 disaster distribution or a qualified 2017 disaster distribution from that plan will not be treated as a change in those substantially equal payments merely because of the qualified 2016 disaster distribution or the qualified 2017 disaster distribution. However, any distributions you receive in excess of the \$100,000 qualified 2016 disaster distribution limit or either of the two \$100,000 qualified 2017 disaster distribution limits may be subject to the additional tax on early distributions. See Form 8915A or Form 8915B, as applicable, for more information on reporting qualified 2016 disaster distributions and qualified 2017 disaster distributions.

## Repayment of Qualified Disaster Distributions

If you choose, you generally can repay any portion of a qualified 2016 disaster distribution or a qualified 2017 disaster distribution that is eligible for tax-free rollover treatment to an eligible retirement plan. Also, you can repay a qualified 2016 disaster distribution or a qualified 2017 disaster distribution made on account of a hardship from a retirement plan. However, see [Exceptions](#) below for qualified 2016 disaster distributions or qualified 2017 disaster distributions you cannot repay.

You have 3 years from the day after the date you received either the qualified 2016 disaster distribution or the qualified 2017 disaster distribution to make a repayment. Amounts that are repaid are treated as a trustee-to-trustee transfer and are not included in income. Also, for purposes of the one-rollover-per-year limitation for IRAs, a repayment to an IRA is not considered a rollover. See Form 8915A or Form 8915B, as applicable, for more information on how to report repayments.

**Exceptions.** You cannot repay the following types of distributions.

1. Qualified 2016 disaster distributions or qualified 2017 disaster distributions received as a beneficiary (other than as a surviving spouse).
2. Required minimum distributions.

3. Periodic payments (other than from an IRA) that are for:
  - a. A period of 10 years or more,
  - b. Your life or life expectancy, or
  - c. The joint lives or joint life expectancies of you and your beneficiary.

## Repayment of Qualified Distributions for the Purchase or Construction of a Main Home

If you received a qualified distribution to purchase or construct a main home in the Hurricane Harvey, Irma, or Maria disaster area, you can repay all or any part of that distribution to an eligible retirement plan during the period beginning on August 23, 2017, and ending on February 28, 2018.

If you received a qualified distribution to purchase or construct a main home in the California wildfire disaster area, you can repay all or any part of that distribution to an eligible retirement plan during the period beginning on October 8, 2017, and ending on June 30, 2018.

To be a qualified distribution, the distribution must meet all of the following requirements.

1. The distribution is a hardship distribution from a 401(k) plan, a hardship distribution from a tax-sheltered annuity contract, or a qualified first-time homebuyer distribution from an IRA.
2. The distribution was received after February 28, 2017, and before September 21, 2017, for Hurricane Harvey, Tropical Storm Harvey, Hurricane Irma, and Hurricane Maria. For the California wildfires, the distribution was received after March 31, 2017, and before January 15, 2018.
3. The distribution was to be used to purchase or construct a main home in the Hurricane Harvey, Irma, or Maria disaster area, or in the California wildfire disaster area that was not purchased or constructed because of Hurricane Harvey, Tropical Storm Harvey, Hurricane Irma, Hurricane Maria, or the California wildfires.

An amount that is repaid before March 1, 2018 (July 1, 2018, for repayments as a result of the California wildfires), is treated as a trustee-to-trustee transfer and is not included in income. Also, for purposes of the one-roll-over-per-year limitation for IRAs, a repayment to an IRA is not considered a rollover.

A qualified distribution not repaid before March 1, 2018 (July 1, 2018, for repayments as a result of the California wildfires), may be taxable for 2017 and subject to the additional 10% tax (or the additional 25% tax for certain SIMPLE IRAs) on early distributions.

You must file Form 8915B if you received a qualified distribution that you repaid, in whole or in part, before March 1, 2018 (July 1, 2018, for repayments as a result of the California wildfires).

## Loans From Qualified Plans

As described further below, the following benefits are available to qualified individuals.

- Increases to the limits for loans from employer retirement plans.
- A 1-year suspension for payments due on plan loans.

**Qualified individual.** You are a qualified individual if any of the following apply.

- Your main home on August 23, 2017, was located in the Hurricane Harvey disaster area and you had an [economic loss](#) because of Hurricane Harvey or Tropical Storm Harvey.
- Your main home on September 4, 2017, was located in the Hurricane Irma disaster area and you had an [economic loss](#) because of Hurricane Irma.
- Your main home on September 16, 2017, was located in the Hurricane Maria disaster area and you had an [economic loss](#) because of Hurricane Maria.
- Your main home during any portion of the period from October 8, 2017, to December 31, 2017, was located in the California wildfire disaster area and you had an [economic loss](#) because of the California wildfires.

**Limits on plan loans.** The general \$50,000 limit on plan loans may be increased to \$100,000 by the plan administrator. In addition, the general loan limit based on 50% of your vested accrued benefit may be increased to 100% of that benefit. The higher limits apply only to loans made during the period beginning on September 29, 2017, and ending on December 31, 2018, for Hurricane Harvey or Tropical Storm Harvey, Hurricane Irma, or Hurricane Maria; or the period beginning on February 9, 2018, and ending on December 31, 2018, for the California wildfires.

**One-year suspension of plan loan payments.** Payments on plan loans due during the period beginning on the qualified beginning date and ending on December 31, 2018, may be suspended for 1 year (suspension period) by the plan administrator. The qualified beginning date is:

- August 23, 2017, if your main home was located in the Hurricane Harvey disaster area.
- September 4, 2017, if your main home was located in the Hurricane Irma disaster area.
- September 16, 2017, if your main home was located in the Hurricane Maria disaster area.
- October 8, 2017, if your main home was located in the California wildfire disaster area.

If you are a qualified individual based on more than one disaster, use the suspension period with the earliest beginning date.

## Information for Eligible Retirement Plans

A plan administrator may choose whether to treat a distribution as a qualified 2016 disaster distribution or a qualified 2017 disaster distribution (qualified disaster distribution) or whether to accept a rollover of a qualified disaster distribution and may develop reasonable procedures for determining whether distributions are qualified disaster distributions. However, the treatment of qualified disaster distributions must be consistent under each plan. The payment of a qualified disaster distribution to an individual must be reported on Form 1099-R, Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc. This reporting is required even if the individual recontributes the qualified disaster distribution to the same plan in the same year. If a payer is treating the payment as a qualified disaster distribution and no other appropriate code applies, the payer is permitted to use distribution code 2 (early distribution, exception applies) in box 7 of Form 1099-R. However, a payer in this case is also permitted to use distribution code 1 (early distribution, no known exception) in box 7 of Form 1099-R.

## Days of Presence in a U.S. Territory

Generally, you are considered to be present in a relevant possession on any day you are outside the relevant possession because you leave or are unable to return during any 14-day period within which a major disaster occurs in the relevant possession for which a Federal Emergency Management Agency (FEMA) notice or a federal declaration of a major disaster is issued in the Federal Register.

Due to Hurricane Irma and Hurricane Maria, the 14-day period of absence resulting from a major disaster, which does not count against your days of presence outside a relevant U.S. territory, has been extended to 268 days effective beginning September 6, 2017, and ending May 31, 2018.

Therefore, an individual who is outside of Puerto Rico or the U.S. Virgin Islands on any day during this 268-day period will be treated as leaving or being unable to return to the relevant U.S. territory as a result of Hurricanes Irma or Maria, and will not lose their status as a bona fide resident of Puerto Rico or the U.S. Virgin Islands during this period. For more information, see [Notice 2017-56](#) and [Notice 2018-19](#).

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## Additional Tax Relief for Individuals

### Earned Income Credit and Additional Child Tax Credit

**Election to use prior year earned income.** You may be able to use your 2016 earned income to figure your earned income credit (EIC) and additional child tax credit (ACTC) if:

1. Your 2016 earned income was greater than your 2017 earned income, and
2. At least one of the following statements is true.
  - a. On August 23, 2017, your main home or the main home of your spouse if filing jointly was located in the Hurricane Harvey disaster zone.
  - b. On August 23, 2017, your main home or the main home of your spouse if filing jointly was located in the Hurricane Harvey disaster area (but not in the disaster zone) and you were displaced from your home because of Hurricane Harvey.
  - c. On September 4, 2017, your main home or the main home of your spouse if filing jointly was located in the Hurricane Irma disaster zone.
  - d. On September 4, 2017, your main home or the main home of your spouse if filing jointly was located in the Hurricane Irma disaster area (but not in the disaster zone) and you were displaced from your home because of Hurricane Irma.
  - e. On September 16, 2017, your main home or the main home of your spouse if filing jointly was located in the Hurricane Maria disaster zone.
  - f. On September 16, 2017, your main home or the main home of your spouse if filing jointly was in the Hurricane Maria disaster area (but not in the disaster zone) and you were displaced from your home because of Hurricane Maria.
  - g. On October 8, 2017, your main home or the main home of your spouse if filing jointly was located in the California wildfire disaster zone.
  - h. On October 8, 2017, your main home or the main home of your spouse if filing jointly was in the California wildfire disaster area (but not in the disaster zone) and you were displaced from your home because of the California wildfires.

**Note.** For a listing of the counties, municipalities, and islands in a disaster zone, see [Hurricane Harvey Disaster Zone](#), [Hurricane Irma Disaster Zone](#), [Hurricane Maria Disaster Zone](#), or [California Wildfire Disaster Zone](#), earlier.

**Joint returns.** If you file a joint return, you qualify to make this election even if only one spouse meets the requirements. If you make the election, your 2016 earned

income is the sum of your 2016 earned income and your spouse's 2016 earned income.

To make this election, enter "PYEI" and the amount of your 2016 earned income in the space next to Form 1040, line 67; Form 1040A, line 43; or Form 1040NR, line 64, unless you are also claiming the earned income tax credit. If you are claiming both the EIC and the ACTC, then you only need to enter "PYEI" and the amount of your 2016 earned income in the space next to Form 1040, line 66a, or Form 1040A, line 42a.



*If you claimed the ACTC in 2016, you also can find your 2016 earned income on line 4a of your 2016 Schedule 8812.*



*If you elect to use your 2016 earned income for the EIC on Form 1040, line 66a, or Form 1040A, line 42a, you must use your 2016 earned income to figure the ACTC.*

**Residents of Puerto Rico.** If you are a resident of Puerto Rico and you are required to file Form 1040 and you qualify to use your 2016 earned income to figure the ACTC, see [Election to use prior year earned income](#) above, and the 2017 Instructions for Schedule 8812. Residents of Puerto Rico with three or more qualifying children who make this election must also follow the instructions under *Lines 7 through 12—Residents of Puerto Rico Only*, in the 2017 Instructions for Schedule 8812.

**Additional child tax credit for bona fide residents of Puerto Rico.** As part of the disaster tax relief enacted for those impacted by Hurricane Irma or Hurricane Maria, certain bona fide residents of Puerto Rico can elect to calculate the ACTC by using their total withheld 2016 social security, Medicare, Additional Medicare Tax, one-half of their 2016 self-employment tax, and any 2016 social security tax amounts listed under Part I, line 6, of the 2016 Instructions for Form 1040-SS. For more information, see the 2017 Instructions for Form 1040-SS, U.S. Self-Employment Tax Return; or the 2017 Instrucciones para el Formulario 1040-PR.

**Note.** Residents of the U.S. Virgin Islands whose main home was in the disaster area for Hurricanes Irma and/or Maria may be eligible to apply the ACTC rules described above if their tax home was in Puerto Rico. See Pub. 570, Tax Guide for Individuals With Income From U.S. Possessions for a definition of tax home.

**Nontaxable combat pay.** Enter on line 4b of your 2017 Schedule 8812 the total amount of nontaxable combat pay that you, and your spouse if filing jointly, received in 2017. This amount should be shown in Form W-2, box 12, with code Q. If you are using 2016 earned income on line 4a, enter your 2016 nontaxable combat pay on line 4b.



*If you claimed the ACTC in 2016, you also can find your 2016 social security taxes on your 2016 Schedule 8812. If you claimed the ACTC in 2016 using Form 1040-SS (or Form 1040-PR), you will have a record of your 2016 social security taxes in the Additional Child Tax Credit Worksheet you completed in the separate instructions for that form.*

**Getting your 2016 tax return information.** If you do not have your 2016 tax records, you can get the amount of earned income used to figure your 2016 EIC by calling 1-800-908-9946. You can also get this information by visiting [IRS.gov/Transcripts](https://www.irs.gov/Transcripts).

If you prefer to figure your 2016 earned income yourself, copies or transcripts of your filed and processed tax returns can help you reconstruct your tax records. See [Request for Copy or Transcript of Tax Return](#), later.

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## Additional Tax Relief for Businesses

### Employee Retention Credit

An eligible employer with a U.S. income tax filing requirement who conducted an active trade or business in the Hurricane Harvey, Hurricane Irma, Hurricane Maria, or the California wildfire disaster zones may be able to claim the employee retention credit. For a listing of the counties, municipalities, and islands in a disaster zone, see [Hurricane Harvey Disaster Zone](#), [Hurricane Irma Disaster Zone](#), [Hurricane Maria Disaster Zone](#), or [California Wildfire Disaster Zone](#), earlier. The credit is 40% of qualified wages for each eligible employee (up to a maximum of \$6,000 in qualified wages per employee).

Generally, employers use Form 5884-A, Credits for Affected Disaster Area Employers, to claim the credit. You must reduce your deduction for salaries and wages by the amount of this credit. See the following rules and definitions for each disaster.

**Employers affected by Hurricane Harvey.** The following definitions apply to employers affected by Hurricane Harvey.

**Eligible employer.** For this purpose, an eligible employer is an employer who conducted an active trade or business in the Hurricane Harvey disaster zone on August 23, 2017, and whose trade or business was inoperable on any day after August 23, 2017, and before January 1, 2018, because of damage caused by Hurricane Harvey.

**Eligible employee.** For this purpose, an eligible employee is an employee of an eligible employer whose principal place of employment on August 23, 2017, with respect to an eligible employer, was in the Hurricane Harvey disaster zone. An employee is not an eligible employee for any period during which the eligible employer is allowed a work opportunity credit for wages paid or incurred for the employee.

**Employers affected by Hurricane Irma.** The following definitions apply to employers affected by Hurricane Irma.

**Eligible employer.** For this purpose, an eligible employer is an employer who conducted an active trade or business in the Hurricane Irma disaster zone on September 4, 2017, and whose trade or business was inoperable on any day after September 4, 2017, and before January 1, 2018, because of damage caused by Hurricane Irma.

**Eligible employee.** For this purpose, an eligible employee is an employee of an eligible employer whose principal place of employment on September 4, 2017, with respect to an eligible employer, was in the Hurricane Irma disaster zone. An employee isn't an eligible employee for any period during which the eligible employer is allowed a work opportunity credit or Hurricane Harvey employee retention credit for wages paid or incurred for the employee.

**Employers affected by Hurricane Maria.** The following definitions apply to employers affected by Hurricane Maria.

**Eligible employer.** For this purpose, an eligible employer is an employer who conducted an active trade or business in the Hurricane Maria disaster zone on September 16, 2017, and whose trade or business was inoperable on any day after September 16, 2017, and before January 1, 2018, because of damage caused by Hurricane Maria.

**Eligible employee.** For this purpose, an eligible employee is an employee of an eligible employer whose principal place of employment on September 16, 2017, with respect to an eligible employer, was in the Hurricane Maria disaster zone. An employee is not an eligible employee for any period during which the eligible employer is allowed a work opportunity credit, Hurricane Harvey employee retention credit, or Hurricane Irma employee retention credit for wages paid or incurred for the employee.

**Employers affected by certain California wildfires.** The following definitions apply to employers affected by certain California wildfires.

**Eligible employer.** For this purpose, an eligible employer is an employer who conducted an active trade or business in the California wildfire disaster zone on October 8, 2017, and whose trade or business was inoperable on any day after October 8, 2017, and before January 1, 2018, because of damage caused by the California wildfires.

**Eligible employee.** For this purpose, an eligible employee is an employee of an eligible employer whose principal place of employment on October 8, 2017, with respect to an eligible employer, was in the California wildfire disaster zone. An employee is not an eligible employee for any period during which the eligible employer is allowed a work opportunity credit for wages paid or incurred for the employee.

**Qualified wages.** Qualified wages are wages you paid or incurred before January 1, 2018, (up to \$6,000 per employee) for an eligible employee beginning on the date

your trade or business first became inoperable at the employee's principal place of employment immediately before the applicable disaster, and ending on the date your trade or business resumed significant operations at that place. In addition, the wages must have been paid or incurred after the following date.

- August 23, 2017, for Hurricane Harvey.
- September 4, 2017, for Hurricane Irma.
- September 16, 2017, for Hurricane Maria.
- October 8, 2017, for certain California wildfires.

This includes wages paid or incurred even if the employee performed no services, performed services at a place of employment other than the principal place of employment, or performed services at the principal place of employment before significant operations resumed.

Wages qualifying for the credit generally have the same meaning as wages subject to the Federal Unemployment Tax Act (FUTA). Qualified wages also include amounts you paid or incurred for medical or hospitalization expenses in connection with sickness or accident disability. Qualified wages for any employee must be reduced by the amount of any work supplementation payment you received under the Social Security Act for the employee.

For purposes of this credit, qualified wages paid by a third-party payer (including an employee leasing company, a professional employer organization, or a Certified Professional Employer Organization) to eligible employees of an eligible employer are considered qualified wages incurred by the eligible employer. Only the eligible employer, and not the third-party payer, can take into account such qualified wages in claiming the credit.

For agricultural employees, if the work performed by any employee during more than half of any pay period qualified under FUTA as agricultural labor, the first \$6,000 of that employee's wages subject to social security and Medicare taxes are qualified wages.

Qualified wages don't include wages paid to or incurred for your dependent or wages paid to or incurred for an employee related to you. For more information, see Form 5884-A and its separate instructions.

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## Request for Copy or Transcript of Tax Return

**Request for copy of tax return.** You can use Form 4506 to order a copy of your tax return. Generally, there is a \$50 fee for requesting each copy of a tax return. If your main home, principal place of business, or tax records are located in a federally declared disaster area, the fee will be waived if the assigned disaster designation (for example, "Hurricane Harvey," or "Hurricane Irma," or "Hurricane Maria,") is written, or typed if filing electronically, across the top of the form when filed.

**Request for transcript of tax return.** You can use Form 4506-T to order a free transcript of your tax return, which

provides most of the line entries from a return and usually contains information that a third party requires.

# Qualified 2016 Disasters

**Table 1. 2016 Disaster Areas—Disasters Declared by the President in 2016**

By State	Type	Date of Declaration	Incident Period
Alabama	Severe Storms, Tornadoes, Straight-line Winds, and Flooding (DR-4251)	1/21/2016	December 23, 2015 – December 31, 2015
Alaska	Severe Storm (DR-4257)	2/17/2016	December 12, 2015 – December 15, 2015
Arkansas	Severe Storms, Tornadoes, Straight-line Winds, and Flooding (DR-4254)	2/5/2016	December 26, 2015 – January 22, 2016
Arkansas	Severe Storms, Tornadoes, Straight-line Winds, and Flooding (DR-4270)	5/6/2016	March 08, 2016 – March 13, 2016
Delaware	Severe Winter Storm and Flooding (DR-4265)	3/16/2016	January 22, 2016 – January 23, 2016
District of Columbia (DC)	Snowstorm (DR-4260)	3/4/2016	January 22, 2016 – January 23, 2016
Florida	Hurricane Matthew (DR-4283)	10/8/2016	October 03, 2016 – October 19, 2016
Florida	Hurricane Hermine (DR-4280)	9/28/2016	August 31, 2016 – September 11, 2016
Georgia	Severe Storms and Flooding (DR-4259)	2/26/2016	December 22, 2015 – January 13, 2016
Georgia	Hurricane Matthew (DR-4284)	10/8/2016	October 04, 2016 – October 15, 2016
Hawaii	Severe Storms, Flooding, Landslides, and Mudslides (DR-4282)	10/6/2016	September 11, 2016 – September 14, 2016
Idaho	Severe Winter Storms (DR-4252)	2/1/2016	December 16, 2015 – December 27, 2015
Iowa	Severe Storms, Straight-line Winds, and Flooding (DR-4281)	9/29/2016	August 23, 2016 – August 27, 2016
Iowa	Severe Storms and Flooding (DR-4289)	10/31/2016	September 21, 2016 – October 03, 2016
Kansas	Severe Storms and Flooding (DR-4287)	10/20/2016	September 02, 2016 – September 12, 2016
Kentucky	Severe Storms, Tornadoes, Flooding, Landslides, and Mudslides (DR-4278)	8/26/2016	July 02, 2016 – July 09, 2016
Louisiana	Severe Storms and Flooding (DR-4263)	3/13/2016	March 08, 2016 – April 08, 2016
Louisiana	Severe Storms and Flooding (DR-4277)	8/14/2016	August 11, 2016 – October 02, 2016
Maryland	Severe Winter Storm and Snowstorm (DR-4261)	3/4/2016	January 22, 2016 – January 23, 2016
Maryland	Severe Storm and Flooding (DR-4279)	9/16/2016	July 30, 2016 – July 31, 2016
Mississippi	Severe Storms and Flooding (DR-4268)	3/25/2016	March 09, 2016 – March 29, 2016
Mississippi	Severe Storms, Tornadoes, Straight-line Winds, and Flooding (DR-4248)	1/4/2016	December 23, 2015 – December 28, 2015
Missouri	Severe Storms, Tornadoes, Straight-line Winds, and Flooding (DR-4250)	1/21/2016	December 23, 2015 – January 09, 2016
Montana	Severe Winter Storm and Straight-line Winds (DR-4271)	5/24/2016	April 15, 2016 – April 16, 2016
Montana	Tornado (DR-4275)	8/3/2016	June 11, 2016
New Jersey	Severe Winter Storm and Snowstorm (DR-4264)	3/14/2016	January 22, 2016 – January 24, 2016
North Carolina	Hurricane Matthew (DR-4285)	10/9/2016	October 04, 2016 – October 25, 2016
Oklahoma	Severe Storms and Flooding (DR-4274)	7/15/2016	June 11, 2016 – June 13, 2016
Oklahoma	Severe Winter Storms and Flooding (DR-4256)	2/10/2016	December 26, 2015 – January 05, 2016
Oregon	Severe Winter Storms, Straight-line Winds, Flooding, Landslides, and Mudslides (DR-4258)	2/17/2016	December 06, 2015 – December 23, 2015
Pennsylvania	Severe Winter Storm and Snowstorm (DR-4267)	3/23/2016	January 22, 2016 – January 23, 2016
Pennsylvania	Severe Storms and Flooding (DR-4292)	12/2/2016	October 20, 2016 – October 21, 2016
South Carolina	Hurricane Matthew (DR-4286)	10/11/2016	October 04, 2016 – October 30, 2016
Tennessee	Wildfires (DR-4293)	12/15/2016	November 28, 2016 – December 09, 2016
Texas	Severe Storms and Flooding (DR-4269)	4/25/2016	April 17, 2016 – April 30, 2016
Texas	Severe Storms and Flooding (DR-4272)	6/11/2016	May 22, 2016 – June 24, 2016
Texas	Severe Storms, Tornadoes, and Flooding (DR-4266)	3/19/2016	March 07, 2016 – March 29, 2016
Texas	Severe Winter Storms, Tornadoes, Straight-line Winds, and Flooding (DR-4255)	2/9/2016	December 26, 2015 – January 22, 2016
Virginia	Severe Winter Storm and Snowstorm (DR-4262)	3/7/2016	January 22, 2016 – January 23, 2016
Virginia	Hurricane Matthew (DR-4291)	11/2/2016	October 07, 2016 – October 15, 2016
Washington	Severe Storms, Straight-line Winds, Flooding, Landslides, and Mudslides (DR-4249)	1/15/2016	November 12, 2015 – November 21, 2015
Washington	Severe Winter Storm, Straight-Line Winds, Flooding, Landslides, Mudslides, and a Tornado (DR-4253)	2/2/2016	December 01, 2015 – December 14, 2015
West Virginia	Severe Storms, Flooding, Landslides, and Mudslides (DR-4273)	6/25/2016	June 22, 2016 – June 29, 2016
Wisconsin	Severe Storms and Flooding (DR-4276)	8/9/2016	July 11, 2016 – July 12, 2016
Wisconsin	Severe Storms, Flooding, and Mudslides (DR-4288)	10/20/2016	September 21, 2016 – September 22, 2016

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## How To Get Tax Help

If you have questions about a tax issue, need help preparing your tax return, or want to download free publications, forms, or instructions, go to [IRS.gov](https://www.irs.gov) and find resources that can help you right away.

**Preparing and filing your tax return.** Find free options to prepare and file your return on [IRS.gov](https://www.irs.gov) or in your local community if you qualify.

The Volunteer Income Tax Assistance (VITA) program offers free tax help to people who generally make \$54,000 or less, persons with disabilities, and limited-English-speaking taxpayers who need help preparing their own tax returns. The Tax Counseling for the Elderly (TCE) program offers free tax help for all taxpayers, particularly those who are 60 years of age and older. TCE volunteers specialize in answering questions about pensions and retirement-related issues unique to seniors.

You can go to [IRS.gov](https://www.irs.gov) to see your options for preparing and filing your return which include the following.

- **Free File.** Go to [IRS.gov/FreeFile](https://www.irs.gov/FreeFile). See if you qualify to use brand-name software to prepare and *e-file* your federal tax return for free.
- **VITA.** Go to [IRS.gov/VITA](https://www.irs.gov/VITA), download the free IRS2Go app, or call 1-800-906-9887 to find the nearest VITA location for free tax preparation.
- **TCE.** Go to [IRS.gov/TCE](https://www.irs.gov/TCE), download the free IRS2Go app, or call 1-888-227-7669 to find the nearest TCE location for free tax preparation.



**Getting answers to your tax questions.** On [IRS.gov](https://www.irs.gov) get answers to your tax questions any-time, anywhere.

- Go to [IRS.gov/Help](https://www.irs.gov/Help) or [IRS.gov/LetUsHelp](https://www.irs.gov/LetUsHelp) pages for a variety of tools that will help you get answers to some of the most common tax questions.
- Go to [IRS.gov/ITA](https://www.irs.gov/ITA) for the Interactive Tax Assistant, a tool that will ask you questions on a number of tax law topics and provide answers. You can print the entire interview and the final response for your records.
- Go to [IRS.gov/Pub17](https://www.irs.gov/Pub17) to get Pub. 17, Your Federal Income Tax for Individuals, which features details on tax-saving opportunities, 2017 tax changes, and thousands of interactive links to help you find answers to your questions. View it online in HTML, as a PDF, or download it to your mobile device as an eBook.
- You may also be able to access tax law information in your electronic filing software.

**Getting tax forms and publications.** Go to [IRS.gov/Forms](https://www.irs.gov/Forms) to view, download, or print all of the forms and publications you may need. You can also download and view popular tax publications and instructions (including the 1040 instructions) on mobile devices as an eBook at no charge. Or, you can go to [IRS.gov/OrderForms](https://www.irs.gov/OrderForms) to place

an order and have forms mailed to you within 10 business days.

**Access your online account (Individual taxpayers only).** Go to [IRS.gov/Account](https://www.irs.gov/Account) to securely access information about your federal tax account.

- View the amount you owe, pay online or set up an on-line payment agreement.
- Access your tax records online.
- Review the past 18 months of your payment history.
- Go to [IRS.gov/SecureAccess](https://www.irs.gov/SecureAccess) to review the required identity authentication process.

**Using direct deposit.** The fastest way to receive a tax refund is to combine direct deposit and *IRS e-file*. Direct deposit securely and electronically transfers your refund directly into your financial account. Eight in 10 taxpayers use direct deposit to receive their refund. IRS issues more than 90% of refunds in less than 21 days.

**Delayed refund for returns claiming certain credits.** Due to changes in the law, the IRS can't issue refunds before mid-February 2018, for returns that properly claimed the earned income credit (EIC) or the additional child tax credit (ACTC). This applies to the entire refund, not just the portion associated with these credits.

**Getting a transcript or copy of a return.** The quickest way to get a copy of your tax transcript is to go to [IRS.gov/Transcripts](https://www.irs.gov/Transcripts). Click on either "Get Transcript Online" or "Get Transcript by Mail" to order a copy of your transcript. If you prefer, you can:

- Order your transcript by calling 1-800-908-9946.
- Mail Form 4506-T or Form 4506T-EZ (both available on [IRS.gov](https://www.irs.gov)).

**Using online tools to help prepare your return.** Go to [IRS.gov/Tools](https://www.irs.gov/Tools) for the following.

- The [Earned Income Tax Credit Assistant \(IRS.gov/EIC\)](https://www.irs.gov/EIC) determines if you're eligible for the EIC.
- The [Online EIN Application \(IRS.gov/EIN\)](https://www.irs.gov/EIN) helps you get an employer identification number.
- The [IRS Withholding Calculator \(IRS.gov/W4App\)](https://www.irs.gov/W4App) estimates the amount you should have withheld from your paycheck for federal income tax purposes.
- The [First Time Homebuyer Credit Account Look-up \(IRS.gov/HomeBuyer\)](https://www.irs.gov/HomeBuyer) tool provides information on your repayments and account balance.
- The [Sales Tax Deduction Calculator \(IRS.gov/SalesTax\)](https://www.irs.gov/SalesTax) figures the amount you can claim if you itemize deductions on Schedule A (Form 1040), choose not to claim state and local income taxes, and you didn't save your receipts showing the sales tax you paid.

## Resolving tax-related identity theft issues.

- The IRS doesn't initiate contact with taxpayers by email or telephone to request personal or financial information. This includes any type of electronic communication, such as text messages and social media channels.
- Go to [IRS.gov/IDProtection](https://www.irs.gov/IDProtection) for information and videos.
- If your SSN has been lost or stolen or you suspect you're a victim of tax-related identity theft, visit [IRS.gov/ID](https://www.irs.gov/ID) to learn what steps you should take.

## Checking on the status of your refund.

- Go to [IRS.gov/Refunds](https://www.irs.gov/Refunds).
- Due to changes in the law, the IRS can't issue refunds before mid-February 2018, for returns that properly claimed the EIC or the ACTC. This applies to the entire refund, not just the portion associated with these credits.
- Download the official IRS2Go app to your mobile device to check your refund status.
- Call the automated refund hotline at 1-800-829-1954.

**Making a tax payment.** The IRS uses the latest encryption technology to ensure your electronic payments are safe and secure. You can make electronic payments online, by phone, and from a mobile device using the IRS2Go app. Paying electronically is quick, easy, and faster than mailing in a check or money order. Go to [IRS.gov/Payments](https://www.irs.gov/Payments) to make a payment using any of the following options.

- **IRS Direct Pay:** Pay your individual tax bill or estimated tax payment directly from your checking or savings account at no cost to you.
- **Debit or credit card:** Choose an approved payment processor to pay online, by phone, and by mobile device.
- **Electronic Funds Withdrawal:** Offered only when filing your federal taxes using tax preparation software or through a tax professional.
- **Electronic Federal Tax Payment System:** Best option for businesses. Enrollment is required.
- **Check or money order:** Mail your payment to the address listed on the notice or instructions.
- **Cash:** You may be able to pay your taxes with cash at a participating retail store.

**What if I can't pay now?** Go to [IRS.gov/Payments](https://www.irs.gov/Payments) for more information about your options.

- Apply for an [online payment agreement \(IRS.gov/OPA\)](https://www.irs.gov/OPA) to meet your tax obligation in monthly installments if you can't pay your taxes in full today. Once you complete the online process, you will receive immediate notification of whether your agreement has been approved.

- Use the [Offer in Compromise Pre-Qualifier \(IRS.gov/OIC\)](https://www.irs.gov/OIC) to see if you can settle your tax debt for less than the full amount you owe.

**Checking the status of an amended return.** Go to [IRS.gov/WMAR](https://www.irs.gov/WMAR) to track the status of Form 1040X amended returns. Please note that it can take up to 3 weeks from the date you mailed your amended return for it to show up in our system and processing it can take up to 16 weeks.

**Understanding an IRS notice or letter.** Go to [IRS.gov/Notices](https://www.irs.gov/Notices) to find additional information about responding to an IRS notice or letter.

**Contacting your local IRS office.** Keep in mind, many questions can be answered on IRS.gov without visiting an IRS Tax Assistance Center (TAC). Go to [IRS.gov/LetUsHelp](https://www.irs.gov/LetUsHelp) for the topics people ask about most. If you still need help, IRS TACs provide tax help when a tax issue can't be handled online or by phone. All TACs now provide service by appointment so you'll know in advance that you can get the service you need without long wait times. Before you visit, go to [IRS.gov/TACLocator](https://www.irs.gov/TACLocator) to find the nearest TAC, check hours, available services, and appointment options. Or, on the IRS2Go app, under the Stay Connected tab, choose the Contact Us option and click on "Local Offices."

**Watching IRS videos.** The IRS Video portal ([IRSVideos.gov](https://www.irs.gov/IRSVideos)) contains video and audio presentations for individuals, small businesses, and tax professionals.

**Getting tax information in other languages.** For taxpayers whose native language isn't English, we have the following resources available. Taxpayers can find information on IRS.gov in the following languages.

- [Spanish \(IRS.gov/Spanish\)](https://www.irs.gov/Spanish).
- [Chinese \(IRS.gov/Chinese\)](https://www.irs.gov/Chinese).
- [Vietnamese \(IRS.gov/Vietnamese\)](https://www.irs.gov/Vietnamese).
- [Korean \(IRS.gov/Korean\)](https://www.irs.gov/Korean).
- [Russian \(IRS.gov/Russian\)](https://www.irs.gov/Russian).

The IRS TACs provide over-the-phone interpreter service in over 170 languages, and the service is available free to taxpayers.

## The Taxpayer Advocate Service Is Here To Help You

### What is the Taxpayer Advocate Service?

The Taxpayer Advocate Service (TAS) is an *independent* organization within the IRS that helps taxpayers and protects taxpayer rights. Our job is to ensure that every taxpayer is treated fairly and that you know and understand your rights under the [Taxpayer Bill of Rights](https://www.irs.gov/TaxpayerBillOfRights).

## What Can the Taxpayer Advocate Service Do For You?

We can help you resolve problems that you can't resolve with the IRS. And our service is free. If you qualify for our assistance, you will be assigned to one advocate who will work with you throughout the process and will do everything possible to resolve your issue. TAS can help you if:

- Your problem is causing financial difficulty for you, your family, or your business,
- You face (or your business is facing) an immediate threat of adverse action, or
- You've tried repeatedly to contact the IRS but no one has responded, or the IRS hasn't responded by the date promised.

## How Can You Reach Us?

We have offices [in every state, the District of Columbia, and Puerto Rico](#). Your local advocate's number is in your local directory and at [TaxpayerAdvocate.IRS.gov/Contact-Us](https://www.irs.gov/taxpayer-advocate). You can also call us at 1-877-777-4778.

## How Can You Learn About Your Taxpayer Rights?

The Taxpayer Bill of Rights describes 10 basic rights that all taxpayers have when dealing with the IRS. Our Tax

Toolkit at [TaxpayerAdvocate.IRS.gov](https://www.irs.gov/taxpayer-advocate) can help you understand [what these rights mean to you](#) and how they apply. These are **your** rights. Know them. Use them.

## How Else Does the Taxpayer Advocate Service Help Taxpayers?

TAS works to resolve large-scale problems that affect many taxpayers. If you know of one of these broad issues, please report it to us at [IRS.gov/SAMS](https://www.irs.gov/SAMS).

## Low Income Taxpayer Clinics

Low Income Taxpayer Clinics (LITCs) are independent from the IRS. LITCs represent individuals whose income is below a certain level and need to resolve tax problems with the IRS, such as audits, appeals, and tax collection disputes. In addition, clinics can provide information about taxpayer rights and responsibilities in different languages for individuals who speak English as a second language. Services are offered for free or a small fee. To find a clinic near you, visit [TaxpayerAdvocate.IRS.gov/LITCmap](https://www.irs.gov/LITCmap) or see IRS Publication 4134, [Low Income Taxpayer Clinic List](#).

**A**

**Additional child tax credit** [14](#)  
**Additional child tax credit for bona fide residents of Puerto Rico:**  
 Qualifying child [15](#)  
**Affected taxpayer** [6](#)  
**Assistance** (See Tax help)

**C**

**California wildfire disaster area** [5](#)  
**Casualty and theft losses** [7](#)  
**Charitable contributions** [7](#)  
**Copy of tax return, request for** [16](#)  
**Cost indexes safe harbor:**  
 Calculation of hurricane-related losses [8](#)  
 Hurricane-related losses [2](#)  
**Covered disaster area** [4](#)  
 California wildfires [6](#)  
 California wildfires, flooding, mudflows, and debris flows [6](#)  
 Hurricane Harvey [4](#)  
 Hurricane Irma [5](#)  
 Hurricane Maria [5](#)  
 Tropical Storm Harvey [4](#)

**Credits:**

Additional child tax [14](#)  
 Earned income [14](#)  
 Employee retention [15](#)

**D**

**Days of presence in a U.S. territory** [14](#)  
**Deadlines, extended** [6](#)  
**Deduction of losses in the preceding year** [8](#)  
**Disaster area:**  
 California wildfires [5](#)  
 Hurricane Harvey [4](#)  
 Hurricane Irma [4](#)  
 Hurricane Maria [5](#)  
**Disaster tax rules:**  
 Hurricane Harvey and Tropical Storm Harvey, Hurricane Irma, Hurricane Maria, and the California wildfires [2](#)  
**Disaster zone:**  
 California wildfire [6](#)

Hurricane Harvey [4](#)  
 Hurricane Irma [5](#)  
 Hurricane Maria [5](#)

**Distributions:**

Home purchase or construction [13](#)  
 Qualified disaster [11](#)  
 Qualified distribution [11](#)  
 Taxation of [12](#)

**Donation, leave-based programs:**

California wildfires [2](#)  
 Hurricane Harvey [2](#)  
 Hurricane Irma [2](#)  
 Hurricane Maria [2](#)  
 Tropical Storm Harvey [2](#)  
 Tropical Storm Irma [2](#)  
 Tropical Storm Maria [2](#)

**E**

**Earned income credit** [14](#)  
**Economic loss** [12](#)  
**Eligible retirement plan** [12](#), [14](#)  
**Employee retention credit** [15](#)  
**Extended filing deadline** [2](#)

**F**

**Florida** [5](#)

**G**

**Georgia** [5](#)

**H**

**Hurricane Harvey disaster area** [4](#)  
**Hurricane Irma disaster area** [4](#)  
**Hurricane Maria disaster area** [5](#)

**I**

**Identity theft** [20](#)  
**IRAs and other retirement plans** [11](#)

**J**

**Joint returns** [14](#)

**L**

**Loans:**  
 Qualified plan loans [13](#)

**Louisiana** [4](#)

**M**

**Main home** [12](#)  
**Missing children, photographs of** [3](#)

**P**

**Plan loan limits** [13](#)  
**Plan loan payment suspension** [13](#)  
**Publications** (See Tax help)  
**Puerto Rico** [5](#)

**Q**

**Qualified 2016 disaster distribution** [11](#)  
**Qualified 2017 disaster distribution** [11](#)  
**Qualified disaster distributions:**  
 Repayment of [12](#)  
**Qualified individual** [13](#)

**R**

**Retirement plan, eligible** [12](#)  
**Retirement plans** [11](#)

**S**

**Safe harbor:**  
 Determination of casualty and theft losses [10](#)  
**South Carolina** [5](#)

**T**

**Tax help** [19](#)  
**Tax return:**  
 Request for copy [16](#)  
 Request for transcript [16](#)  
**Texas** [4](#)  
**Theft losses** [7](#)  
**Transcript of tax return, request for** [16](#)

**U**

**U.S. Virgin Islands** [5](#)