

## Section 165.—Losses

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

**Election in respect of losses attributable to a disaster.** This ruling lists the areas declared by the President to qualify as major disaster or emergency areas during 2000 under the Disaster Relief and Emergency Assistance Act.

### Rev. Rul. 2001-15

Under § 165(i) of the Internal Revenue Code, if a taxpayer suffers a loss attributable to a disaster occurring in an area subsequently determined by the President of the United States to warrant assistance by the Federal Government under the Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5204c (1988 & Supp. V 1993) (the Act), the taxpayer may elect

to claim a deduction for that loss on the taxpayer's federal income tax return for the taxable year immediately preceding the taxable year in which the disaster occurred. For purposes of § 165(i), a disaster includes an event declared a major disaster or an emergency under the Act.

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

The provisions of § 165(i) apply only to losses that are otherwise deductible under § 165(a). An individual taxpayer may deduct losses if they are incurred in a trade or business, if they are incurred in a transaction entered into for profit, or if they are casualty losses under § 165(c)(3).

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

### FURTHER INFORMATION

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

#### Disaster Area

#### Disaster Description

#### Disaster Date

#### Alabama

Counties of DeKalb, Cherokee, and Jackson

FEMA-1317-DR  
Severe winter storm

January 20 - 29

Counties of Jefferson and Tuscaloosa

FEMA-1322-DR  
Severe storms and flooding

March 10 - 11

Counties of Cherokee, Dale, Etowah, Geneva, Henry, Houston, Jefferson, Limestone, Macon, St. Clair, and Tuscaloosa

FEMA-1352-DR  
Severe storms and tornadoes

December 16 - 22

#### Alaska

Municipality of Anchorage; Boroughs of Aleutians East, Bristol Bay, Denali, Fairbanks North Star, Kenai Peninsula, Kodiak Island, Lake and Peninsula, and Matanaska-Susitna; and Census Areas of Bethel, Dillingham, Southeast Fairbanks, Valdez-Cordova, and Wade Hampton

FEMA-1316-DR  
Severe winter storms and avalanches

December 21, 1999-  
February 23, 2000

#### Arizona

Counties of Cochise, La Paz, Maricopa, Pinal, Santa Cruz, and Yavapai

FEMA-1347-DR  
Severe storms and flooding

October 21 - November 8

#### Arkansas

Counties of Arkansas, Benton, Bradley, Calhoun, Clark, Cleveland, Columbia, Crawford, Crittenden, Cross, Dallas, Desha, Drew, Faulkner, Franklin, Garland, Grant, Hempstead, Hot Spring, Howard, Jackson, Jefferson, Johnson, Lafayette, Lee, Lincoln, Little River, Logan, Lonoke, Madison, Miller, Mississippi, Monroe, Montgomery, Nevada, Ouachita, Perry, Pike, Polk,

FEMA-3159-EM  
Severe winter ice storm

December 12 -  
January 8, 2001

<b>Disaster Area</b>	<b>Disaster Description</b>	<b>Disaster Date</b>
Poinsett, Prairie, Pulaski, St. Francis, Saline, Scott, Sebastian, Sevier, Washington, White, Woodruff, Union, and Yell		
Counties of Arkansas, Baxter, Benton, Boone, Bradley, Calhoun, Clark, Cleburne, Cleveland, Columbia, Conway, Crawford, Crittenden, Cross, Dallas, Desha, Drew, Faulkner, Franklin, Fulton, Garland, Grant, Hempstead, Hot Spring, Howard, Independence, Izard, Jackson, Jefferson, Johnson, Lafayette, Lee, Lincoln, Little River, Logan, Lonoke, Madison, Marion, Miller, Mississippi, Monroe, Montgomery, Nevada, Newton, Ouachita, Perry, Pike, Polk, Poinsett, Pope, Prairie, Pulaski, St. Francis, Saline, Scott, Searcy, Sebastian, Sevier, Sharp, Stone, Union, Van Buren, Washington, White, Woodroof, and Yell	FEMA-1354-DR Severe winter ice storm	December 12 - January 8, 2001
<b>California</b>		
Napa County	FEMA-1342-DR Earthquake	September 3
<b>District of Columbia</b>		
District of Columbia	FEMA-1325-DR Severe winter storm	January 25 - 31
District of Columbia	FEMA-1338-DR Severe thunderstorms	August 7
<b>Florida</b>		
Counties of Bay, Calhoun, Escambia, Franklin, Gulf, Jefferson, Leon, Okaloosa, and Walkulla	FEMA-1344-DR Tropical Storm Helene	September 21 - October 4
Counties of Broward, Collier, Miami-Dade, and Monroe	FEMA-1345-DR Severe storms and flooding	October 3 - 11
<b>Georgia</b>		
Counties of Banks, Barrow, Bartow, Butts, Carroll, Catossa, Chattooga, Cherokee, Clarke, Cobb, Dawson, DeKalb, Douglas, Elbert, Fannin, Floyd, Forsyth, Franklin, Fulton, Gilmer, Gordon, Greene, Gwinnett, Habersham, Hall, Hart, Haralson, Henry, Jackson, Jasper, Jones, Lamar, Lumpkin, Monroe, Newton, Oconee, Oglethorpe, Paulding, Pickens, Pike, Rabun, Rockdale, Spalding, Stephens, Taliaferro, Union, Upson, Walker, Walton, White, and Wilkes	FEMA-1311-DR Severe winter storm	January 22-February 1
Counties of Colquitt, Decatur, Grady, Mitchell, Tift, and Turner	FEMA-1315-DR Severe storms and tornadoes	February 14
<b>Hawaii</b>		
Hawaii County	FEMA-1348-DR Severe storms and flooding	October 28 - November 2

<b>Disaster Area</b>	<b>Disaster Description</b>	<b>Disaster Date</b>
<b>Idaho</b>		
Counties of Ada, Bannock, Bingham, Blaine, Boise, Clearwater, Custer, Elmore, Idaho, Jerome, Lemhi, Lewis, Lincoln, Power, and Valley; and the Fort Hall Indian Reservation	FEMA-1341-DR Wildfires	July 27-September 26
<b>Illinois</b>		
Counties of Bureau, Cook, DeWitt, DuPage, Ford, Fulton, Grundy, Henderson, Henry, Iroquois, Kane, Kankakee, Kendall, Lake, La Salle, Livingston, Marshall, McDonough, McHenry, McLean, Menard, Ogle, Peoria, Stark, Will, and Winnebago	FEMA-3161-EM Record/near record snow	December 10 - 31
<b>Indiana</b>		
Counties of Allen, Carroll, Cass, Elkhart, Fulton, Howard, Huntington, Jasper, Kosciusko, Lagrange, Lake, Miami, Noble, Pulaski, St. Joseph, Steuben, White, and Whitley	FEMA-3162-EM Record/near record snow	December 11 - 31
<b>Kansas</b>		
Counties of Crawford, Labette, and Neosho	FEMA-1327-DR Severe storms and tornadoes	April 19 - 20
<b>Kentucky</b>		
Counties of Ballard, Breckinridge, Carlisle, Crittenden, Daviess, Hancock, Henderson, Hopkins, Livingston, Spencer, and Webster	FEMA-1310-DR Tornadoes, severe storms, torrential rains and flash flooding	January 3 - 4
Counties of Bath, Bourbon, Boyd, Carter, Fleming, Greenup, Harrison, Johnson, Lawrence, Lewis, Mason, Nicholas, Oldham, Pendleton, Robertson, and Rowan	FEMA-1320-DR Severe storms and flooding	February 18-March 2
<b>Louisiana</b>		
Parishes of Bienville, Claiborne, Lincoln, Ouachita, Richland, Union, Webster, and West Carroll	FEMA-1314-DR Severe winter storm	January 27 - 30
Parishes of Bienville, Bossier, Caddo, Claiborne, Lincoln, Ouachita, Union and Webster	FEMA-1357-DR Severe winter ice storm	December 11 - January 3, 2001
<b>Maine</b>		
Counties of Androscoggin, Aroostock, Franklin, Kennebec, Oxford, Piscataquis, Somerset, and Washington	FEMA-1326-DR Severe storms, flooding, and ice jams	March 28-April 26
<b>Maryland</b>		
Baltimore City; and Counties of Anne Arundel, Baltimore, Calvert, Caroline, Charles, Dorchester, Frederick, Howard, Kent, Montgomery, Prince Georges, Queen Anne's, St. Mary's, and Talbot	FEMA-1324-DR Severe winter storm	January 25 - 30
<b>Michigan</b>		
Counties of Oakland and Wayne	FEMA-1346-DR Severe storms and flooding	September 10 - 11

<b>Disaster Area</b>	<b>Disaster Description</b>	<b>Disaster Date</b>
<b>Minnesota</b>		
Counties of Becker, Chippewa, Clay, Clearwater, Dakota, Dodge, Faribault, Fillmore, Freeborn, Houston, Mahnommen, Mower, Norman, Ramsey, Roseau, Winona, and Yellow Medicine; and the White Earth Indian Reservation	FEMA-1333-DR Severe storms, flooding, and tornadoes	May 17- July 26
<b>Missouri</b>		
Counties of Crawford, Franklin, Gasconade, Jefferson, St. Charles, Ste. Genevieve, St. Francois, St. Louis County, Warren, and Washington	FEMA-1328-DR Severe thunderstorms and flash flooding	May 6 - 7
<b>Montana</b>		
Counties of Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Liberty, Lincoln, Madison, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Rosebud, Sanders, Silver Bow, Stillwater, Sweet Grass, Teton, Toole, Treasure, Wheatland, and Yellowstone; and Indian Reservations of the Blackfeet, Crow, Flathead, Fort Belknap, Northern Cheyenne, and Rocky Boy's	FEMA-1340-DR Wildfires	July 13-September 25
Counties of Carter, Fallon, Richland, Roosevelt, Sheridan, and Wibaux	FEMA-1350-DR Severe winter storms	October 31 - November 20
<b>New Jersey</b>		
Counties of Morris and Sussex	FEMA-1337-DR Severe storms, flooding and mudslides	August 12 - 21
Counties of Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morries, Ocean, Passaic, Salem, Somerset, Sussex, Union, and Warren	FEMA-3156-EM West Nile Virus	May 30 - November 1
<b>New Mexico</b>		
Counties of Bernalillo, Catron, Chaves, Cibola, Colfax, Curry, BeBaca, Dona Ana, Eddy, Grant, Guadalupe, Harding, Hidalgo, Lea, Lincoln, Los Alamos, Luna, McKinley, Mora, Otero, Quay, Rio Arriba, Roosevelt, San Juan, San Miguel, Sandoval, Sante Fe, Sierra, Socorro, Taos, Torrance, Union, and Valencia.	FEMA-3154-EM Severe fire threats	May 5 - July 7
Counties of Bernalillo, Chaves, Cibola, DeBaca, Dona Ana, Eddy, Guadalupe, Lincoln, Los Alamos, McKinley, Mora, Otero, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Sierra, Socorro, Taos, and Torrance	FEMA-1329-DR Severe forest fire	May 5 - June 9

<b>Disaster Area</b>	<b>Disaster Description</b>	<b>Disaster Date</b>
<b>New York</b>		
Counties of Albany, Allegany, Cattaraugus, Chenango, Columbia, Dutchess, Erie, Essex, Greene, Herkimer, Lewis, Livingston, Madison, Montgomery, Niagara, Oneida, Onondaga, Orleans, Otsego, Rensselaer, Schenectady, Schoharie, Steuben, Sullivan, Tioga, Tompkins, Ulster, and Yates	FEMA-1335-DR Severe storms and flooding	May 3 - August 12
New York City; and Counties of Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chenango, Chemung, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, and Yates	FEMA-3155-EM West Nile Virus	May 22 - November 1
Counties of Cattaraugus, Chautauqua, and Erie	FEMA-3157-EM Near record snow	November 19 - 21
<b>North Carolina</b>		
Counties of Alamance, Anson, Cabarrus, Caswell, Chatham, Davidson, Durham, Edgecombe, Franklin, Granville, Guilford, Halifax, Harnett, Hoke, Johnston, Lee, Mecklenburg, Montgomery, Moore, Nash, Northampton, Orange, Person, Randolph, Richmond, Rockingham, Scotland, Stanly, Union, Vance, Wake, Warren, and Wilson	FEMA-1312-DR Severe winter storm	January 24-February 1
<b>North Dakota</b>		
Counties of Barnes, Benson, Bottineau, Burke, Burleigh, Cass, Cavalier, Dickey, Eddy, Emmons, Foster, Grand Forks, Griggs, Kidder, LaMoure, Logan, McHenry, McIntosh, McLean, Morton, Mountrail, Nelson, Oliver, Pembina, Pierce, Ramsey, Ransom, Renville, Richland, Rolette, Sargent, Sheridan, Steele, Stutsman, Towner, Traill, Walsh, Ward, and Wells; and Indian Reservations of the Spirit Lake Tribal Reservation, the Three Affiliated Tribes, and the Turtle Mountain Band of the Chippewa.	FEMA-1334-DR Severe storms, flooding and ground saturation	April 5 - August 12
Counties of Benson, Bowman, Cavalier, Divide, Golden Valley, McKenzie, Ramsey, Towner, and Williams	FEMA-1353-DR Severe winter storms and tornadoes	November 1 - 20
<b>Ohio</b>		
Counties of Adams, Gallia, Jackson, Lawrence, Meigs, Pike, and Scioto	FEMA-1321-DR Severe storms and flooding	February 18-March 2
Lucas County	FEMA-1339-DR Severe storms and flooding	July 29 - August 2

<b>Disaster Area</b>	<b>Disaster Description</b>	<b>Disaster Date</b>
Greene County	FEMA-1343-DR Severe storms and a tornado	September 20
<b>Oklahoma</b>		
Counties of Adair, Atoka, Bryan, Carter, Cherokee, Choctaw, Cleveland, Coal, Cotton, Creek, Garvin, Grady, Haskell, Hughes, Jefferson, Johnston, Latimer, LeFlore, Lincoln, Love, Marshall, McClain, McCurtain, McIntosh, Murray, Muskogee, Okfuskee, Oklahoma, Okmulgee, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Seminole, Sequoyah, Stephens, Tulsa, Wagoner, and Washington	FEMA-3158-EM Severe winter and ice storm	December 25 - January 10, 2001
Counties of Caddo, Carter, Comanche, Cotton, Grady, Jackson, Jefferson, Kiowa, McClain, Oklahoma, and Tillman	FEMA-1349-DR Severe storms and flooding	October 21 - 29
Counties of Adair, Atoka, Beckham, Bryan, Caddo, Carter, Cherokee, Choctaw, Cleveland, Coal, Comanche, Cotton, Craig, Creek, Delaware, Garvin, Grady, Greer, Harmon, Haskell, Hughes, Jackson, Jefferson, Johnston, Latimer, LeFlore, Lincoln, Love, Marshall, Mayes, McClain, McCurtain, McIntosh, Murray, Muskogee, Nowata, Okfuskee, Oklahoma, Okmulgee, Ottawa, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Rogers Seminole, Sequoyah, Stephens, Tillman, Tulsa, Wagoner, Washington, and Washita	FEMA-1355-DR Severe winter ice storm	December 25 - January 10, 2001
<b>South Carolina</b>		
Counties of Abbeville, Aiken, Allendale, Bamberg, Barnwell, Berkley, Calhoun, Clarendon, Charleston, Collenton, Cherokee, Chester, Chesterfield, Darlington, Dillon, Dorchester, Edgefield, Fairfield, Florence, Georgetown, Greenwood, Kershaw, Lancaster, Laurens, Lee, Lexington, Marion, Marlboro, McCormick, Newberry, Orangeburg, Richland, Saluda, Spartanburg, Sumter, Union, Williamsburg, and York	FEMA-1313-DR Severe winter storm	January 22-February 1
<b>South Dakota</b>		
Counties of Custer, Fall River, Jackson, Pennington, and Shannon	FEMA-1330-DR Severe winter storm, flooding, landslides, and mudslides	April 18 - 20
<b>Tennessee</b>		
Counties of Anderson, Benton, Cheatham, Davidson, Henry, Hickman, Houston, Jackson, Knox, Lake, Obion, Perry, Pickett, Stewart, Weakley	FEMA-1331-DR Severe storms, tornadoes, and flooding	May 23 - 31
<b>Texas</b>		
Tarrant County	FEMA-1323-DR Severe storms, tornadoes, and flooding	March 28 - 29

**Disaster Area****Disaster Description****Disaster Date**

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

FEMA-1356-DR  
Severe winter ice storm

December 12 -  
January 15, 2001

**Vermont**

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

FEMA-1336-DR  
Severe storms and flooding

July 14 - 18

Counties of Bennington and Rutland

FEMA-1358-DR  
Severe storms and flooding

December 16 - 18

**Virginia**

Cities of Alexandria, Colonial Heights, Danville, Emporia, Fairfax, Franklin, Fredericksburg, Hopewell, Lynchburg, Manassas, Newport News, Norton, Petersburg, Richmond, Suffolk, Williamsburg; and Counties of Accomack, Albermarle, Alleghany, Amelia, Amherst, Appomattox, Arlington, Augusta, Bath, Bedford, Bland, Botetourt, Brunswick, Buchanan, Buckingham, Campbell, Caroline, Carroll, Charles City, Charlotte, Chesterfield, Clarke, Craig, Culpeper, Cumberland, Dickenson, Dinwiddie, Essex, Fairfax, Fauquier, Floyd, Fluvanna, Franklin, Frederick, Giles, Goochland, Grayson, Greene, Greensville, Halifax, Hanover, Henrico, Henry, Highland, Isle of Wight, James City, King George, King William, King and Queen, Lancaster, Lee, Loudon, Louisa, Lunenburg, Madison, Mecklenburg, Middlesex, Montgomery, Nelson, New Kent, Northampton, Northumberland, Nottoway, Orange, Patrick, Pittsylvania, Powhatan, Prince Edward, Prince George, Prince William, Pulaski, Rappahannock, Richmond, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Southampton, Spotsylvania, Stafford, Surry, Sussex, Tazewell, Warren, Washington, Westmoreland, Wise, Wythe, and York

FEMA-1318-DR  
Severe winter storm

January 25 - 30

**West Virginia**

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

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

February 18 - 22

**Wisconsin**

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

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

May 26 - July 19

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

FEMA-3163-EM  
Record/near record snow

December 11 - 31

**Disaster Area****Disaster Description****Disaster Date****Wyoming**

Counties of Crook, Goshen, Platte, and Weston

FEMA-1351-DR  
Severe winter storms

October 31 -  
November 20