



TaxNewsFlash

United States

No. 2024-108
March 19, 2024

Rev. Proc. 2024-17: Waiver of time requirements for individuals electing to exclude foreign earned income because of adverse conditions

The IRS today released [Rev. Proc. 2024-17](#) [PDF 76 KB] providing information to any individual who failed to meet the eligibility requirements of section 911(d)(1) for 2023 because of adverse conditions in a foreign country.

- Section 911 allows a "qualified individual" to elect to exclude from gross income their foreign earned income (up to \$120,000 for 2023) and to exclude or deduct their housing cost amount.
- Section 911(d)(1) defines the term qualified individual as a U.S. citizen that has been a bona fide resident of a foreign country or countries for an uninterrupted period that includes an entire tax year or a U.S. citizen or resident who, during any period of 12 consecutive months, is present in a foreign country or countries during at least 330 full days.
- Section 911(d)(4) provides that an individual will be treated as a qualified individual with respect to a period in which the individual was a bona fide resident of, or was present in, a foreign country if the individual left the country during a period for which the Treasury Secretary, after consultation with the Secretary of State, determines that individuals were required to leave because of war, civil unrest, or similar adverse conditions that precluded the normal conduct of business.
- The IRS previously has listed countries for which the minimum time requirements of section 911(d)(1) are waived because of adverse conditions in those countries. Read [TaxNewsFlash](#)
- Rev. Proc. 2024-17 lists the following countries for which the minimum time requirements are waived for 2023:

| Country | Date of departure on or after |
|---------|-------------------------------|
| Ukraine | January 18, 2023 |
| Belarus | January 26, 2023 |

| | |
|-------|------------------|
| Sudan | April 20, 2023 |
| Haiti | July 27, 2023 |
| Niger | August 2, 2023 |
| Iraq | October 20, 2023 |

For example, for purposes of section 911, an individual who left Ukraine on or after January 18, 2023, will be treated as a qualified individual with respect to the period during which that individual was present in, or was a bona fide resident of, Ukraine if the individual establishes a reasonable expectation that he or she would have met the requirements of section 911(d) but for those conditions.

To qualify for relief under section 911(d)(4), an individual must have established residency, or have been physically present, in the foreign country on or before the date that the Treasury Secretary determines that individuals were required to leave the foreign country. For example, individuals who were first physically present or established residency in Ukraine after January 18, 2023, are not eligible to qualify for the exception provided in section 911(d)(4) for 2023.

kpmg.com/socialmedia



The information contained in TaxNewsFlash is not intended to be "written advice concerning one or more Federal tax matters" subject to the requirements of section 10.37(a)(2) of Treasury Department Circular 230, as the content of this document is issued for general informational purposes only, is intended to enhance the reader's knowledge on the matters addressed therein, and is not intended to address the circumstances of any particular individual or entity. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.

The KPMG name and logo are trademarks used under license by the independent member firms of the KPMG global organization.

KPMG International Limited is a private English company limited by guarantee and does not provide services to clients. No member firm has any authority to obligate or bind KPMG International or any other member firm vis-à-vis third parties, nor does KPMG International have any such authority to obligate or bind any member firm.

Direct comments, including requests for subscriptions, to [Washington National Tax](#). For more information, contact KPMG's Federal Tax Legislative and Regulatory Services Group at +1 202.533.3712, 1801 K Street NW, Washington, DC 20006-1301.

To unsubscribe from TaxNewsFlash, reply to [Washington National Tax](#).

[Privacy](#) | [Legal](#)