

United States Senate
WASHINGTON, DC 20510

COMMITTEES:
APPROPRIATIONS
FOREIGN RELATIONS
SELECT COMMITTEE ON INTELLIGENCE
SMALL BUSINESS AND ENTREPRENEURSHIP
SPECIAL COMMITTEE ON AGING

September 8, 2017

The Honorable John Koskinen
Commissioner
Internal Revenue Service
111 Constitution Avenue, NW
Washington, DC 20224

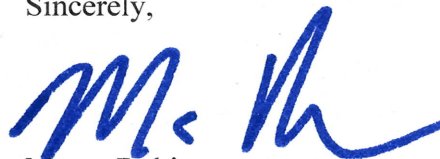
Dear Commissioner Koskinen:

As Hurricane Irma approaches Florida, having already caused significant damage to U.S. territories, I ask that you pre-approve relief to taxpayers residing in Florida, Puerto Rico and the U.S. Virgin Islands. Many families will need to draw from their retirement accounts for immediate and necessary financial assistance to prepare for and recover from this storm. I urge that you eliminate barriers to this liquidity by administrative discretion to the maximum extent possible.

As you are aware, individuals who withdraw or take a loan from their qualified employer plans before the age of 59 ½ face early withdrawal penalties that may include a ban on contributions for six months and a 10 percent surtax. Individuals are also limited to a narrow definition as to what qualifies as a “hardship” distribution. As a result of this natural disaster, many Floridians may have to pull from their retirement accounts to rebuild their homes, buy vehicles, and pay for the general costs displacement. As such, I ask that you help Floridians and others affected by this storm recover from this disaster as quickly as possible by providing them with the same penalty relief you provided to those impacted by Hurricane Harvey. I urge that you relax the definition of a “hardship” distribution to include recovery efforts for Hurricane Irma while also removing the six-month ban on contributions. Additionally, I ask that you allow employees to adopt leave-based donation programs for Hurricane Irma that allows employees to forego vacation, sick, or personal leave in exchange for cash payments to qualifying charitable organizations.

Thank you for your attention to this matter and I look forward to working with you.

Sincerely,



Marco Rubio
U.S. Senator