

1 FOREIGN EMPLOYER.—The performance of personal
2 services—

3 “(A) for a nonresident alien individual, foreign
4 partnership, or foreign corporation, not engaged in
5 trade or business within the United States, or

6 “(B) for an office or place of business main-
7 tained in a foreign country or in a possession of the
8 United States by an individual who is a citizen or
9 resident of the United States or by a domestic
10 partnership or a domestic corporation,
11 by a nonresident alien individual temporarily present in
12 the United States for a period or periods not exceeding
13 a total of 90 days during the taxable year and whose
14 compensation for such services does not exceed in the
15 aggregate \$3,000.

16 “(2) TRADING IN SECURITIES OR COMMODITIES.—

17 “(A) STOCKS AND SECURITIES.—

18 “(i) Except in the case of a dealer in
19 stocks or securities, trading in stocks or secu-
20 rities for the taxpayer’s own account, whether
21 by the taxpayer or his employees or through a
22 resident broker, commission agent, custodian,
23 or other agent, and whether or not any such
24 agent has discretionary authority to make de-
25 cisions in effecting the transactions. This clause