

1 commission agent, custodian, or other independ-
2 ent agent.

3 ~~“(iii) Clauses (i) and (ii) apply only if~~
4 the commodities are of a kind customarily dealt
5 in on an organized commodity exchange and if
6 the transaction is of a kind customarily con-
7 summated at such place.

8 ~~“(C) LIMITATION.—Subparagraphs (A) (ii)~~
9 and ~~(B) (ii)~~ shall apply only if, at no time during
10 the taxable year, the taxpayer has an office or place
11 of business in the United States through which or
12 by the direction of which the transactions in stocks
13 or securities, or in commodities, as the case may be,
14 are affected.

15 ~~“(c) EFFECTIVELY CONNECTED INCOME, ETC.—~~

16 ~~“(1) GENERAL RULE.—For purposes of this title—~~

17 ~~“(A) In the case of a nonresident alien indi-~~
18 vidual or a foreign corporation engaged in trade or
19 business within the United States during the taxable
20 year, the rules set forth in paragraphs ~~(2)~~, ~~(3)~~,
21 and ~~(4)~~ shall apply in determining the income,
22 gain, or loss which shall be treated as effectively con-
23 nected with the conduct of a trade or business within
24 the United States.

25 ~~“(B) Except as provided in section 871(d) or~~