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Sec. 1408. - Nationals but not citizens of the United States at birth

Unless otherwise provided in section [1401](#) of this title, the following shall be nationals, but not citizens, of the United States at birth:

(1)

A person born in an outlying possession of the United States on or after the date of formal acquisition of such possession;

(2)

A person born outside the United States and its outlying possessions of parents both of whom are nationals, but not citizens, of the United States, and have had a residence in the United States, or one of its outlying possessions prior to the birth of such person;

(3)

A person of unknown parentage found in an outlying possession of the United States while under the age of five years, until shown, prior to his attaining the age of twenty-one years, not to have been born in

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such outlying possession; and

(4)

A person born outside the United States and its outlying possessions of parents one of whom is an alien, and the other a national, but not a citizen, of the United States who, prior to the birth of such person, was physically present in the United States or its outlying possessions for a period or periods totaling not less than seven years in any continuous period of ten years -

(A)

during which the national parent was not outside the United States or its outlying possessions for a continuous period of more than one year, and

(B)

at least five years of which were after attaining the age of fourteen years.

The proviso of section [1401](#)(g) of this title shall apply to the national parent under this paragraph in the same manner as it applies to the citizen parent under that section

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