

clearly shown by all of the evidence to have been incurred in or aggravated by active service, in fact in line of duty without benefit of any statutory or regulatory presumption of any kind, it will be considered to have directly resulted from performance of duty: *Provided further*, That the Administrator of Veterans' Affairs is hereby authorized and directed to adjudicate claims for emergency officers' retirement in accordance with the provisions of the Act of May 24, 1928 (Public Law Numbered 506, Seventieth Congress), subject to limitations contained in section 10 of the Act of March 20, 1933 (Public Law Numbered 2, Seventy-third Congress), as modified by the provisions of this Act, in any case where the disability resulted from injury or disease incurred in combat with an enemy of the United States, and where entitlement is established based upon such injury or disease the Administrator of Veterans' Affairs is hereby authorized to grant retirement with pay as provided in the said Act of May 24, 1928, notwithstanding the failure of the person to file claim within the period required by said Act of May 24, 1928.

SEC. 2. No beneficiary under this Act shall receive any retirement pay for any period prior to the date of this Act.

SEC. 3. That subsection (b) of section 212 of Public Law Numbered 212, Seventy-second Congress, shall be amended to read as follows:

"(b) This section shall not apply to any person whose retired pay, plus civilian pay, amounts to less than \$3,000: *Provided*, That this section shall not apply to regular or emergency commissioned officers retired for disability incurred in combat with an enemy of the United States or for disabilities resulting from an explosion of an instrumentality of war in line of duty during an enlistment or employment as provided in Veterans Regulation Numbered 1 (a), part I, paragraph I."

Approved, July 15, 1940.

[CHAPTER 629]

AN ACT

To authorize the use of certain facilities of Indian reservations, national parks, and national monuments for elementary school purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate the providing of educational opportunities for children of Government employees and other residents in Indian reservations, the national parks and national monuments the Secretary of the Interior is hereby authorized in his discretion to make available for elementary school purposes therein, without charge, space in Government-owned buildings, when such space may be available for such purposes without detriment to the official business of such Indian reservations, national parks and national monuments.

Approved, July 16, 1940.

[CHAPTER 630]

AN ACT

To withdraw certain portions of land within the Hawaii National Park and to transfer the same to the jurisdiction and control of the Secretary of War for military purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within a tract of land containing six thousand four hundred fifty acres, more or less, on the island of Hawaii in the Territory of Hawaii, located

Adjudication of claims.

48 Stat. 10.
38 U. S. C. § 710.

Retirement with pay.

No prior benefits.

47 Stat. 406.
5 U. S. C. § 59a (b).

Combined pay.

Provido,
Combat, etc., disabilities.

July 16, 1940

[S. 29]

[Public, No. 744]

Use of certain facilities of Indian reservations, etc., for elementary school purposes.

July 16, 1940

[S. 3676]

[Public, No. 745]

Hawaii National Park.

Transfer of land for military purposes.