

suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

SEC. 3. Notwithstanding any other provision of this Act, lands and interests in land owned by the State of Florida or Dade County may be acquired solely by donation, and the Secretary shall not declare the Biscayne National Monument established until the State has transferred or agreed to transfer to the United States its right, title and interest in and to its lands within the boundaries of said national monument. The Secretary shall not acquire any other lands or interests in land pursuant to this Act except by donation or with donated funds until the State has made or obligated itself to make the aforesaid transfer: *Provided*, That nothing contained in this sentence shall preclude the Secretary from acquiring options for the purchase of lands and interests in land, other than lands and interests in land held by the State of Florida or Dade County, which are to be acquired pursuant to this Act and, upon the State's transferring or obligating itself to transfer as aforesaid, he shall proceed as expeditiously as possible to acquire the other lands and interests in land which are necessary to carry out the purposes of this Act.

SEC. 4. The Secretary of the Interior shall preserve and administer the Biscayne National Monument in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented. The waters within the Biscayne National Monument shall continue to be open to fishing in conformity with the laws of the State of Florida except as the Secretary, after consultation with appropriate officials of said State, designates species for which, areas and times within which, and methods by which fishing is prohibited, limited or otherwise regulated in the interest of sound conservation or in order to achieve the purposes for which the national monument is established.

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed \$24,575,000 for land acquisition and \$2,900,000 for development.

Approved October 18, 1968.

Administration.

Fishing.

Appropriation.

## Public Law 90-607

### AN ACT

Relating to the effective date of the 1966 change in the definition of earned income for purposes of pension plans of self-employed individuals.

October 21, 1968  
[H. R. 18253]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 204(d) of Public Law 89-809 (80 Stat. 1578) is amended by adding at the end thereof the following new sentence: "The amendment made by subsection (c) shall apply with respect to taxable years beginning after December 31, 1967, and in the case of a taxpayer who applies the averaging provisions of section 401(e)(3) of the Internal Revenue Code of 1954 for a taxable year beginning after December 31, 1967, the computation of the amount deductible under section 404 of such Code for any prior taxable year which began before January 1, 1968, shall be made, for purposes of such averaging provisions, as if the amendment made by subsection (c) were applicable to such prior taxable year."

Taxes.  
Self-employed  
individuals, pension  
plans.  
26 USC 401 note.

76 Stat. 815.

68A Stat. 138.

Approved October 21, 1968.