

**§ 1470.35 Offsets and assignments.**

(a) Any payment or portion thereof due any participant under this part shall be allowed without regard to any claim or lien in favor of any creditor, except agencies of the United States Government. The regulations governing offsets and withholdings found at 7 CFR part 1403 shall be applicable to contract payments.

(b) Any participant entitled to any payment may assign any payments in accordance with regulations governing assignment of payment found at 7 CFR part 1404.

**§ 1470.36 Misrepresentation and scheme or device.**

(a) If NRCS determines that an applicant intentionally misrepresented any fact affecting a CSP determination, the application will be cancelled immediately.

(b) A participant who is determined to have erroneously represented any fact affecting a program determination made in accordance with this part shall not be entitled to contract payments and must refund to NRCS all payments, plus interest determined in accordance with 7 CFR part 1403.

(c) A participant shall refund to NRCS all payments, plus interest determined in accordance with 7 CFR part 1403, received by such participant with respect to all CSP contracts if they are determined to have:

(1) Adopted any scheme or device that tends to defeat the purpose of the program;

(2) Made any fraudulent representation;

(3) Adopted any scheme or device for the purpose of depriving any tenant or sharecropper of the payments to which such person would otherwise be entitled under the program; or

(4) Misrepresented any fact affecting a program determination.

(d) Participants determined to have committed actions identified in paragraph (c) of this section shall:

(1) Have their interest in all CSP contracts terminated; and

(2) In accordance with §1470.27(e), may be determined by NRCS to be ineligible for future NRCS-administered conservation program funding.

**§ 1470.37 Environmental credits for conservation improvements.**

NRCS believes that environmental benefits will be achieved by implementing conservation activities funded through CSP. These environmental benefits may result in opportunities for the program participant to sell environmental credits. These environmental credits must be compatible with the purposes of the contract. NRCS asserts no direct or indirect interest on these credits. However, NRCS retains the authority to ensure that operation and maintenance (O&M) requirements for CSP-funded improvements are met, consistent with §§1470.21 and 1470.23. Where actions may impact the land and conservation activities under a CSP contract, NRCS will at the request of the participant, assist with the development of an O&M compatibility assessment prior to the participant entering into any credit agreement.

**PART 1484—PROGRAMS TO HELP DEVELOP FOREIGN MARKETS FOR AGRICULTURAL COMMODITIES****Subpart A—General Information**

Sec.

1484.10 What is the effective date of this part?

1484.11 Has the Office of Management and Budget reviewed the paperwork and record keeping requirements contained in this part?

1484.12 What is the Cooperator program?

1484.13 What special definitions apply to the Cooperator program?

1484.14 Is my organization eligible to participate in the Cooperator program?

**Subpart B—Application and Fund Allocation**

1484.20 How can my organization apply to the Cooperator program?

1484.21 How does FAS determine which Cooperator program applications are approved?

1484.22 How are Cooperator program funds allocated?

**Subpart C—Program Operations**

1484.30 How does FAS formalize its working relationship with approved Cooperators?

1484.31 Who acts on behalf of each Cooperator?