



# Late and/or Nonresponsive Applications

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## PURPOSE

This document provides information on the U.S. Department of Agriculture’s (USDA) Agricultural Marketing Service’s (AMS) policies related to the submission of late and/or nonresponsive grant applications to be considered under competitive grant programs.

## POLICY REGARDING LATE APPLICATIONS

AMS expects that grant applications will be submitted on time, through the means published in the corresponding Request for Applications (RFA). Application due dates are listed on the cover page as well as in the *Program Solicitation Information and Submission Date and Time* sections in each AMS RFA. Applicants are urged to submit their application well in advance of the posted due date.

Any grant application submitted for competitive review after the due date specified in the RFA will not be considered unless the applicant provides documentation of an extenuating circumstance that prevented their timely submission of the grant application. Extenuating circumstances is defined as a catastrophic incident as defined by [6 U.S.C. 311\(3\)](#) or a validated technical issue<sup>1</sup> on the side of the government which prevented applicants from applying by the posted due date (e.g., a Grants.gov outage or malfunction).

**Catastrophic incident** means any natural disaster, act of terrorism, or other man-made disaster that results in extraordinary levels of casualties or damage or disruption severely affecting the population (including mass evacuations), infrastructure, environment, economy, national morale, or government functions in an area.

### WHAT IS A LATE APPLICATION?

A grant application submitted or resubmitted after the application due date and time listed in the RFA is a late application.

### HOW IS IT DETERMINED IF AN APPLICATION IS LATE?

Grants.gov attaches a date and time stamp to the application when it is electronically sent to Grants.gov. The date and time stamp includes the submission time, which is used to determine if an application is on time or late.

Most AMS grant programs have a deadline of 11:59 p.m. Eastern Time on the date specified in the RFA. An application is considered on time when submitted at or before 11:59 p.m. Eastern Time on the specified closing date; but it is late when submitted at or after 12:00 a.m. (midnight) Eastern Time on the day following the specified closing date.

### HOW CAN LATE APPLICATION SUBMISSIONS BE CONSIDERED FOR COMPETITIVE REVIEW?

AMS will consider grant applications that were not submitted by the deadline on a case-by-case basis and only if the applicant has documented evidence of extenuating circumstances that have prevented the timely submission of an application.

### HOW TO SUBMIT A REQUEST FOR A LATE APPLICATION SUBMISSION

After the grant application submission due date published in the RFA has passed, contact the email address listed under *Agency Contacts* section of the RFA to request submission of a late application. All requests must be submitted in writing.

You are required to provide documentation to substantiate your claim of an extenuating circumstance. Once AMS receives the documentation, AMS will follow its review procedures. You will be informed of the results of the review. If documentation is not submitted that substantiates your claim, AMS will not consider your request.

### WINDOW OF CONSIDERATION FOR LATE APPLICATION SUBMISSIONS

Requests to consider grant applications for a competitively reviewed RFA must be received by AMS within **1 week (7 calendar days)** of the published application due date in order to be considered for the applicable competitive review under this late policy. Requests received after that time will not be considered.

### TECHNICAL ISSUES WITH GRANTS.GOV

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<sup>1</sup> In a case where there is a technical issue with Grants.gov, the applicant has to obtain a Grants.gov helpdesk case number by contacting Grants.gov's Applicant Support group and work with the group to validate the technical issue that prevented the timely submission of the grant application.

Applicants must follow the directions provided in the RFA (*Grants.gov Application Submission and Receipt Procedures and Requirements* section) to ensure the timely submission of a grant application. AMS will investigate reports of technical issues with Grants.gov on a case-by-case basis once it confirms a documented extenuating circumstance.

**NOTE:** Problems with computer systems at the applicant organization, Adobe compatibility settings issues, failure to follow instructions in the RFA, or failure to complete required registrations (e.g., Grants.gov, Sams.gov, DUNS Number, etc.) by the submission deadline are not considered government system issues.

### **CAN AN APPLICATION RECEIVE ADVANCE PERMISSION FOR LATE SUBMISSION?**

No. AMS will not grant advanced permission to submit an application after the application due date.

## POLICY REGARDING NONRESPONSIVE OR INCOMPLETE APPLICATIONS

AMS expects that grant applications include all required documents and information requested in the corresponding Request for Applications (RFA). Required documents and information are listed in the *Application and Submission Information* section of each AMS RFA. In cases where an applicant submits duplicate applications before the application due date, AMS will accept, as the final submission, the last validated application that is electronically submitted through Grants.gov.

Any grant application submitted for competitive review and considered nonresponsive to the requirements in the RFA will be declined for consideration unless the applicant provides a justification that demonstrates how the application's contents and documents meet the requirements listed in the RFA. AMS will not accept required documents or attachments after the application deadline.

### WHAT IS A NONRESPONSIVE APPLICATION?

Grant applications are considered nonresponsive when they do not meet the requirements listed in the RFA, including, but not limited to, aligning with the legislative purpose of the program, being an eligible applicant, submitting the application to the correct grant program; and/or providing all required documents and information. Incomplete applications are also referred to as nonresponsive due to missing information, documents, or attachments.

### HOW IS AN APPLICATION DETERMINED TO BE NONRESPONSIVE?

AMS retrieves your application from grants.gov and performs an initial qualification screening of all applications submitted by the application deadline to determine if they are responsive to the RFA. This includes verifying that all required documents and attachments in the *Application and Submission Information* section of the RFA are part of the application package and were submitted to the correct grant program.

### HOW CAN AN APPLICATION DETERMINED TO BE NONRESPONSIVE BE CONSIDERED FOR COMPETITIVE REVIEW?

AMS will consider grant applications that were determined nonresponsive due to extenuating circumstances on a case-by-case basis based on the explanation and documentation provided by the applicant. *Extenuating circumstances* is defined as a catastrophic incident as defined by [6 U.S.C. 311\(3\)](#) or a validated technical issue on the side of the government which prevented applicants from applying by the posted due date (e.g., a Grants.gov outage or malfunction).

**NOTE:** Problems with computer systems at the applicant organization, Adobe compatibility settings issues, failure to follow instructions in the RFA, or failure to attach documents to the application package correctly are not considered system issues.

### HOW TO SUBMIT A REQUEST FOR RECONSIDERATION OF AN APPLICATION

After you receive notification that your grant application will not be considered for competitive review, contact the email address listed in the *Agency Contacts* section of the RFA. All requests must be submitted in writing and include the information below:

- Grant Program Name
- Application Number
- Grants.gov Number
- Applicant Point of Contact Responsible for the Appeal
- Project Title
- Justification for reconsideration
- Documentation substantiating your claim of an extenuating circumstance

Once AMS receives the documentation, AMS will follow its review procedures. You will be informed of the results of the review. If documentation is not submitted that substantiates your claim, AMS will not consider your request.

### WINDOW OF CONSIDERATION FOR RECONSIDERATION OF AN APPLICATION

Requests to reconsider grant applications deemed nonresponsive to the RFA must be received by AMS within **1 week (7 calendar days)** of the receipt of the application's declination letter in order to be reconsidered for the applicable competitive review under this

nonresponsive policy. If documentation is submitted that substantiates your claim after the deadline above, AMS will not consider your request.

**CAN AN APPLICATION RECEIVE ADVANCE PERMISSION TO BE NONRESPONSIVE TO THE RFA?**

No. AMS will not grant advanced permission to submit an application that is nonresponsive to the RFA.

## APPEAL PROCESS FOR LATE AND NONRESPONSIVE APPLICATION DECISIONS

If you decide to appeal a decision not to consider your grant application, you should contact the email address listed under *Agency Contact* of the RFA. All requests must be submitted in writing. You must inform the agency contact of your decision to appeal and provide any additional documentation you want considered in the appeal process. AMS will follow its appeal procedures. You will be informed of the results of the appeal. The appeal decision is final; no further consideration regarding the affected grant application(s) will be given.