



TSN Plenary Session: Tyson's Corner, VA
PGA Break Out Session (Q&A) Report
FISH & WILDLIFE SERVICE (FWS)
September 11, 2008
Final Report

PARTICIPATING GOVERNMENT AGENCIES – BREAK OUT SESSIONS

- I. ANIMAL & PLANT HEALTH INSPECTION SERVICE (APHIS)
- II. ENVIRONMENTAL PROTECTION AGENCY (EPA)
- III. FOOD SAFETY INSPECTION SERVICE (FSIS)
- IV. NATIONAL MARINE FISHERIES SERVICE (NMFS)
- V. **FISH AND WILDLIFE SERVICE (FWS)**

FISH & WILDLIFE SERVICE (FWS)

Sheila Einsweiler

Q: Do you think that ITDS will help in catching smuggling activity?

A: Yes; the data mining will help us find certain “patterns/trends” that can turn out to be smuggling or false declarations.

Q: Is there any chance that FWS will reconsider reintegrating its system with CBPs so that we can file with the entry?

A: No, past history has shown that there are too many inconsistencies with the shipments. The entities identified within the CBP system are not necessarily the entities regulated by FWS.

Q: (Question from Lou) With regard to eDec, is that required?

A: That is essentially the 3477. eDec is not required; it is voluntary.

Q: (Question from Lou): So you would have to add to the eDec application to provide for more information and then on the entry CBP would have to find a way to link to that eDec?

A: It is difficult for us to mandate the filing of an eDec prior to the entry. We just need to know that both are on file prior to release. The current idea is that there will be flagging so that if an entry requires the eDec filing there will be messaging between the systems to check that both documents are on file with the agencies. Another issue is that we also have international shipments and some informals for which CBP does not require an entry but which would require an eDec to be filed with us. As we move forward, and we find that the trade is filing electronically in ACE, we may move to require, that is, mandate an eDec filing on our side. We



**TSN Plenary Session: Tyson's Corner, VA
PGA Break Out Session (Q&A) Report
FISH & WILDLIFE SERVICE (FWS)
September 11, 2008
Final Report**

would do this through the appropriate rule making. That is what we did when we were set up with ACS.

Q: Do you allow for corrections on eDecs?

A: Absolutely. We will have to work that out with regard to matching both documents up after there has been change.

Q: How many eDecs do you get?

A: About 150,000 eDecs per year.

Q: Does an eDec cover multiple entries?

A: Yes.

Q: Does an eDec cover multiple arrivals?

A: No; it gets messy with regard to how many eDecs would be required within the arrival.

Q: What is LEMIS?

A: That is the Law Enforcement Management System. This also covers our investigative unit.

Q: What about passenger bagging?

A: Yes, we use eDecs for that too. It also covers mail and many other things that ACE does not. We get a lot of other agency referrals but it will help us to have more formalized dialogue via the system.

Q: Do you see your holds going up or down if you get what you want in ACE?

A: Initially we will see the "holds" go up, however, I don't think we will go crazy with that or see a huge upwards spiral. We will have policy around "when" the holds will be placed and how long the holds will be before taking action. We would like to be able to control the system so that we can be guided as to "when" and "what" we should be scrutinizing more closely. Our regular policy is that if our inspector decides to put a hold on something it is his responsibility to follow that through as a priority issue. That inspector would only be able to put a hold on



TSN Plenary Session: Tyson's Corner, VA
PGA Break Out Session (Q&A) Report
FISH & WILDLIFE SERVICE (FWS)
September 11, 2008
Final Report

something at his port where he has jurisdiction. It is not something that will be taken lightly, there will be explicit procedures defining the process. We are trying to set up the system so that it will do what we need it to do without having to go to CBP to place holds on the cargo.

Q: Basically, as I understand this, there are three groups: brokers/importers filing through eDecs; shipments coming thru CBP/ACE (to which you don't have visibility); people trying to evade the system illegally. Earlier I learned that the agents for the Food Safety and Inspection Service (FSIS) started using the ACE Portal and were able to reduce their "detained" merchandise because of greater visibility to information. Are you planning on getting access to the ACE Portal for your inspectors for shipments coming through ACE?

A: Yes, we are starting that process now with passwords.

Q: I hear concerns from trade on holds, my question to you and Lou is - Are there measurements in place that show how effective you are on your holds process? In theory, the people filing eDecs are not the ones you are going to go after. The reporting tools should also be able to help you; there are excellent queries now that are available.

A: We are looking at measurements now. We can look into the shipments we've looked at and see where the violations occurred. We are requesting the ability to input the results of our inspections so that we can see patterns and change our process if necessary.