

117TH CONGRESS  
1ST SESSION

# S. 3268

To authorize the Secretary of Transportation to issue a request for proposals for a private-sector entity to develop an operating model for an interoperable gray chassis pool at the rail ramps around Memphis.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 2021

Mrs. BLACKBURN (for herself and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To authorize the Secretary of Transportation to issue a request for proposals for a private-sector entity to develop an operating model for an interoperable gray chassis pool at the rail ramps around Memphis.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Improving Memphis’  
5       Supply Chain Act”.

1 **SEC. 2. DEVELOPMENT OF OPERATING MODEL FOR INTER-**  
2 **OPERABLE GRAY CHASSIS POOL AT THE RAIL**  
3 **RAMPS AROUND MEMPHIS.**

4 (a) DEFINITIONS.—In this section:

5 (1) COMMISSION.—The term “Commission”  
6 means the Federal Maritime Commission.

7 (2) INTEROPERABLE GRAY CHASSIS POOL.—  
8 The term “interoperable gray chassis pool” means a  
9 single enterprise for voluntary chassis provisioning  
10 that allows for the use of any container chassis for  
11 marine shipping containers not less than 20 feet and  
12 not more than 45 feet in length at the rail ramps  
13 around Memphis by shippers or motor carriers.

14 (b) DEVELOPMENT OF PLAN.—

15 (1) IN GENERAL.—Subject to the availability of  
16 appropriations, not later than 6 months after the  
17 date of enactment of this Act, the Secretary of  
18 Transportation, in coordination with the Commis-  
19 sion, shall develop a plan to issue a request for pro-  
20 posals to develop an operating model for an inter-  
21 operable gray chassis pool at the rail ramps around  
22 Memphis, Tennessee.

23 (2) PLAN DETAILS.—In developing the plan  
24 under paragraph (1), the Secretary of Transpor-  
25 tation, in coordination with the Commission, shall  
26 identify a suitable location or locations for the inter-

operable gray chassis pool and consult with relevant stakeholders, including the International Port of Memphis, ocean carriers, railroad carriers, motor carriers, chassis providers, shippers, and the Surface Transportation Board.

(3) CONTENT OF PLAN AND AVAILABILITY.—

The plan under paragraph (1) shall—

(A) include—

(i) objectives and duties of a private-sector contractor to establish the interoperable gray chassis pool;

(ii) expectations for voluntary participation based on consultations; and

(iii) the appropriate approach for seeking and receiving feedback from Memphis stakeholders regarding the interoperable gray chassis pool; and

(B) be publicly available on a website not later than 7 days after the plan is completed.

(c) REQUEST FOR PROPOSALS.—

(1) IN GENERAL.—Subject to the availability of appropriations, not later than 1 year after the date of enactment of this Act, the Secretary of Transportation, in coordination with the Commission, shall issue a request for proposals for a private-sector en-

1       tity to develop an operating model for an interoper-  
2       able gray chassis pool consistent with the plan re-  
3       quired under subsection (b).

4               (2) CONTENT OF PROPOSAL.—A proposal sub-  
5       mitted pursuant to a request under paragraph (1)  
6       shall include—

7               (A) a fee structure that would sustain the  
8       interoperable gray chassis pool without a sub-  
9       sidy;

10              (B) specification of performance goals, in-  
11       cluding rates of chassis in maintenance and av-  
12       erage turn times, and a plan to achieve the per-  
13       formance goals;

14              (C) expectations for communication and  
15       coordination among carriers and local busi-  
16       nesses, including any facilitation by the private-  
17       sector entity;

18              (D) expectations for total chassis involved,  
19       whether from voluntary participation of existing  
20       providers or addition of chassis by the con-  
21       tractor;

22              (E) identification of real property nec-  
23       essary to implement the interoperable gray  
24       chassis pool, whether from voluntary partici-  
25       pants or to be acquired; and

1 (F) a commitment from the awardee to im-  
2 plement the interoperable gray chassis pool at  
3 the rail ramps around Memphis based on the  
4 operating model developed for the proposal  
5 within a specified timeframe.

6 (d) AWARDING OF CONTRACT.—

7 (1) IN GENERAL.—Subject to the availability of  
8 appropriations, except as provided in paragraph (2),  
9 from the proposals submitted under subsection (c),  
10 the Secretary of Transportation, with approval from  
11 the Commission, shall award a contract to a private-  
12 sector entity to develop and implement an operating  
13 model for an interoperable gray chassis pool at the  
14 rail ramps around Memphis.

15 (2) NO SATISFACTORY PROPOSAL.—If no satis-  
16 factory proposal is submitted under subsection (c),  
17 the Secretary of Transportation, in coordination  
18 with the Commission, shall submit, not later than 6  
19 months after the date all proposals are submitted, a  
20 report to the Committee on Commerce, Science, and  
21 Transportation of the Senate and the Committee on  
22 Transportation and Infrastructure of the House of  
23 Representatives with potential alternative options to  
24 improve chassis provisioning and supply chain effi-  
25 ciency at the rail ramps around Memphis.

1 (e) EVALUATION.—The Secretary of Transportation,  
 2 in coordination with the Commission, shall—

3 (1) evaluate the effectiveness of an interoper-  
 4 able gray chassis pool developed under this section  
 5 not later than 1 year after implementation; and

6 (2) issue a report to the Committee on Com-  
 7 merce, Science, and Transportation of the Senate  
 8 and the Committee on Transportation and Infra-  
 9 structure of the House of Representatives regarding  
 10 the evaluation, including best practices and lessons  
 11 learned, not later than 2 years after implementation.

12 (f) LIMITATIONS.—

13 (1) VOLUNTARY PARTICIPATION.—Participation  
 14 in the interoperable gray chassis pool developed  
 15 under this section shall be voluntary.

16 (2) RULE OF CONSTRUCTION.—Nothing in this  
 17 section shall be construed to authorize the Depart-  
 18 ment of Transportation or the Commission to pur-  
 19 chase or operate tangible property related to the de-  
 20 velopment of the interoperable gray chassis pool  
 21 under this section.

22 (g) AUTHORIZATION OF APPROPRIATIONS.—There is  
 23 authorized to be appropriated to carry out this section  
 24 \$500,000.

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