



Office of the Chairman

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Statement of Chairman Andrew N. Ferguson
Joined by Commissioner Melissa Holyoak and Commissioner Mark R. Meador
In the Matter of The Clean Truck Partnership Investigation
Matter Number 2510054

August 12, 2025

Today the Commission announces commitments by four major U.S. semitruck manufacturers—Daimler Truck North America LLC, International Motors, LLC (formerly known as Navistar, Inc.), PACCAR Inc, and Volvo Group North America, LLC (collectively, the “OEMs”)—as well as the Truck and Engine Manufacturers Association (“EMA”), to end an agreement to reduce the output of internal combustion engine trucks and to refrain from entering another such agreement in the future. These four OEMs control approximately 99 percent of the U.S. heavy-duty truck market.¹ Collectively, their commitments are a massive win for businesses and consumers—they preserve competition in American trucking and protect Americans’ access to affordable diesel-powered trucks to transport everyday goods.

The Commission’s closing statement in this matter lays out the history of the agreement in detail.² Stated generally, California regulators promulgated emissions standards designed to phase out diesel-powered trucks.³ The California Air Resources Board and the OEMs further entered into the now-largely defunct Clean Truck Partnership. The Clean Truck Partnership required semitruck manufacturers to make and sell so-called “zero-emission” trucks.⁴ These trucks are powered by batteries or fuel cells, rather than an internal-combustion engine. Zero-emission trucks are far more

¹ Fleets Explained: History of the 7 Major Heavy-Duty Truck Manufacturers in the U.S., FleetOwner (Oct. 4, 2024), <https://www.fleetowner.com/fleets-explained/article/55127030/fleets-explained-history-of-the-7-major-heavy-duty-truck-manufacturers-in-the-us> (“Today, seven brands from four global companies account for 99.9% of all new Class 8 truck sales in the U.S.”); Economic Factors Bombard Truck Makers from All Angles, Transport Topics News (May 23, 2025), <https://www.ttnews.com/articles/truck-makers-economics> (displaying a graph that shows Daimler, Paccar, Volvo, and International Motors account for 98.5% of the U.S. market for heavy-duty freight trucks); Gov. Gavin Newsom, Executive Order N-27-25, Executive Department of the State of California (June 12, 2025) (“[O]n July 5, 2023, the California Air Resources Board reached an agreement with manufacturers that represent over 90 percent of California’s truck market”).

² Statement of the Fed. Tr. Comm’n Regarding the Clean Truck Partnership Investigation, *In re Clean Truck Partnership Investigation*, Matter No. 2510054, at 1–4 (Aug. 11, 2025).

³ See Press Release, Cal. Air Res. Bd., CARB and Truck and Engine Manufacturers Announce Unprecedented Partnership to Meet Clean Air Goals (July 6, 2023), <https://ww2.arb.ca.gov/news/carb-and-truck-and-engine-manufacturers-announce-unprecedented-partnership-meet-clean-air> (“The Clean Truck Partnership comes as California prepares for implementation of its landmark rules that put in place a phased-in transition toward 100% sale and use of zero-emissions technology for medium- and-heavy [sic] duty vehicles under CARB’s Advanced Clean Trucks and Advanced Clean Fleets rule by 2045.”).

⁴ See Compl. ¶¶ 1–7, *Nebraska v. Daimler Truck et al.*, No. CI 24-570 (Neb. D. Ct. Nov. 19, 2024).

expensive than diesel-powered trucks, and they cannot travel long distances without needing to be charged.⁵

California regulators recognized that courts or lawmakers could reject the desired emissions standards. So, they hedged. The Clean Truck Partnership Agreement included a provision that OEMs must phase-out diesel-powered trucks “irrespective of the outcome of any litigation challenging” California’s regulations.⁶ In other words, the Clean Truck Partnership is intended to eliminate diesel-powered trucks no matter what happens to California’s emissions regulations.

Of course, diesel-powered trucks comply fully with federal laws and regulations.⁷ But California set stricter emission standards for trucks. In practice, California’s regulations ultimately reached far beyond California’s borders because California is such a large part of the American economy.⁸ Businesses across the country therefore faced the prospect of having to replace their fleets with costly zero-emission vehicles. At President Trump’s urging, Congress overturned California’s regulations in a bipartisan vote.⁹ Nearly three dozen Democrats voted alongside Republicans to ensure American consumers and businesses can continue to benefit from lower-cost, diesel-powered trucks.¹⁰ Yet, the question remains whether under the terms of the Clean Truck Partnership, U.S. manufacturers must nevertheless shift production to zero-emission trucks.

What does all of this have to do with the antitrust laws? The Clean Truck Partnership is an example of companies agreeing to eliminate competition and reduce output under the guise of Environmental, Social, and Governance (ESG) objectives. Some of these ESG-driven business decisions may have been well-intentioned, although I doubt it. Most of the ESG craze has been using progressive buzzwords to justify the underhanded acquisition of increased profits. Either way, ESG goals can never justify unlawful collusion. ESG collusion by competitors threatens the exact harm the antitrust laws are intended to prevent: higher prices, diminished quality, and less

⁵ According to one report, a diesel-powered Class 8 truck (meaning a truck with a gross vehicle weight rating exceeding 33,000 pounds) costs approximately \$180,000, while a comparable battery-electric truck costs approximately \$400,000. Press Release, Am. Trucking Ass’n, New Report Pegs Cost of Electrifying U.S. Commercial Truck Fleet at \$1 Trillion (Mar. 19, 2024), <https://www.trucking.org/news-insights/new-report-pegs-cost-electrifying-us-commercial-truck-fleet-1-trillion> (last accessed Aug. 8, 2025).

⁶ See Clean Truck Partnership Agreement at ¶2 (last visited Aug. 11, 2025), [https://ww2.arb.ca.gov/sites/default/files/2023-](https://ww2.arb.ca.gov/sites/default/files/2023-07/Final%20Agreement%20between%20CARB%20and%20EMA%202023_06_27.pdf)

[07/Final%20Agreement%20between%20CARB%20and%20EMA%202023_06_27.pdf](https://ww2.arb.ca.gov/sites/default/files/2023-07/Final%20Agreement%20between%20CARB%20and%20EMA%202023_06_27.pdf)

⁷ See Statement of the Fed. Tr. Comm’n Regarding the Clean Truck Partnership Investigation, *In re Clean Truck Partnership Investigation*, Matter No. 2510054, at 1–2 (Aug. 11, 2025).

⁸ See Statement of the Fed. Tr. Comm’n Regarding the Clean Truck Partnership Investigation, *In re Clean Truck Partnership Investigation*, Matter No. 2510054, at 1–2 (Aug. 11, 2025).

⁹ *Diamond Alternative Energy v. EPA*, No. 24-7, slip op. at 4, n.1 (U.S. June 20, 2025) (“Acting under the Congressional Review Act, Congress recently passed and the President signed legislation to block [California’s] regulations.” (citing H.J. Res. No. 88, 119th Cong., 1st Sess. (2025))); see also Briefings & Statements, The White House, Congressional Bills H.J. Res. 87, H.J. Res. 88, H.J. Res. 89 Signed into Law (June 12, 2025), <https://www.whitehouse.gov/briefings-statements/2025/06/congressional-bills-h-j-res-87-h-j-res-88-h-j-res-89-signed-into-law/>.

¹⁰ Why 35 House Democrats Joined Republicans Against a Major Climate Policy, N.Y. Times (May 6, 2025), <https://www.nytimes.com/2025/05/06/climate/democrats-california-ban-electric-vehicles.html>.

choice. As the U.S. Supreme Court recognized, “social justifications proffered for [a] restraint of trade . . . do not make it any less unlawful.”¹¹ ESG justifications are no exception.

This clear principle is why I have long warned that there is no ESG exemption from the antitrust laws.¹² And since becoming Chairman, I’ve directed Commission resources to stopping such conduct. For example, the Commission filed a statement of interest supporting thirteen State Attorneys General, led by Texas Attorney General Ken Paxton, in holding financial asset managers accountable for colluding to drive down coal production in the name of ESG.¹³ Earlier this month, the United States District Court for the Eastern District of Texas agreed that these asset managers may have violated the antitrust laws and allowed the suit to proceed, citing the Commission’s brief more than seven times in its order.¹⁴ Today’s OEM commitments give the Trump-Vance FTC its second win against ESG collusion this month.

Today’s commitments not only protect competition; they advance President Trump’s mission to unleash American energy dominance. President Trump has made clear from day one that fossil fuels are key to America’s prosperity and national security.¹⁵ Efforts by States to ban gas- and diesel-powered vehicles, such as California’s Clean Truck Partnership, will weaken our economy and leave Americans poorer and less safe.¹⁶ The Commission must remain vigilant against ESG-driven practices that unlawfully eliminate competition in the use of oil, coal, and natural gas to power the American economy.

I commend the Commission’s staff for working tirelessly to investigate anticompetitive ESG practices. I am proud that under my leadership, the Trump-Vance FTC remains committed to protecting consumers from companies that seek to use environmental goals as an excuse to eliminate competition and raise prices.

¹¹ *FTC v. Superior Court Trial Lawyers Ass’n*, 493 U.S. 411, 424 (1990).

¹² Comm’r Andrew N. Ferguson, FTC, Remarks at the 2024 Taiwan International Conference on Competition Policy/Law Innovation Competition and Sustainability (June 26, 2024) (“I am concerned about competition-law enforcers creating exceptions for horizontal conduct with a sustainability goal for two reasons. . . . I fear that competitors will not limit their collusion to environmental issues. Adam Smith—rarely invoked in defense of robust antitrust enforcement—famously warned that ‘people of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices.’ Exemptions for environmental collusion may lead to collusion on other topics, and the exemption for the former will make the prohibition against the latter more difficult to enforce.”).

¹³ Statement of Interest of the Federal Trade Commission and the United States of America, *Texas v. BlackRock, Inc.*, No. 6:24-cv-00437 (E.D. Tex. May 22, 2025); see also Press Release, FTC, FTC and DOJ File Statement of Interest in Energy Collusion Case Against BlackRock, State Street, and Vanguard (May 22, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/05/ftc-doj-file-statement-interest-energy-collusion-case-against-blackrock-state-street-vanguard>.

¹⁴ *Texas v. BlackRock, Inc.*, No. 6:24-cv-00437, 2025 WL 2201071 (E.D. Tex. Aug. 1, 2025).

¹⁵ Exec. Order No. 14154, Unleashing American Energy, 90 Fed. Reg. 8,353 (Jan. 20, 2025).

¹⁶ See Exec. Order No. 14260, Protecting American Energy from State Overreach, 90 Fed. Reg. 15,513 (Apr. 8, 2025).