

Nebraska Sues Truck OEMs Over 'Collusion' on California Deal

State AG Hilgers Calls Clean Truck Partnership Deal a 'Conspiracy'

Nebraska Attorney General Mike Hilgers filed an antitrust suit against Daimler Truck North America, International Motors, Paccar, Inc. and Volvo Group North America, alleging the original equipment



manufacturers colluded in order to eliminate choice and raise truck prices.

The truck makers plus the Truck & Engine Manufacturers Association (EMA) are said to have harmed Nebraska consumers and freight companies by entering into a pact with the California Air Resources Board in July 2023, the Clean Truck Partnership.

Filed in Lincoln County District Court in Nebraska, the suit — filed in conjunction

with the Energy Marketers of America and Renewable Fuels Nebraska seeks to ensure an "honest marketplace" in the state for Class 8 internal combustion engine trucks.

In response to the suit, Jed Mandel,

EMA President, told Transport Topics in an email: "While EMA is reviewing the online complaint, which we have not received formally, we can affirm at this time that the allegations are without merit, and we will defend ourselves accordingly."

International Motors, Paccar and Volvo Group North America declined to comment.

DTNA — owner of Freightliner, which accounted for 37.7% of all October Class 8 retail sales, and builds America's most popu-

(NEBRASKA SUES continued on page 5)

Mark Your Calendar!





107th Annual CMSA Convention Bally's Lake Tahoe April 22 - 27, 2025

Convention Registration and Golf Tournament Forms Attached



CHAIRMAN'S CORNER by Former Chairman John Chipman, Jr.

One Former CMSA Chairman's personal opinion.

Will the Global Household Contract

("GHC") put local Movers out of business? Recent events have raised this serious concern.

For decades, moving companies have been helping service members and their families relocate. From 29 Palms, CA to Norfolk, VA, Movers - many generationally rooted in their local communities - have played an indispensable role in helping TransCom get military personnel moved in a professional, timely manner. With the advent of the GHC in November 2021, the method for moving service members is changing. The military is transitioning from the DP3 program, which is made up of hundreds of local moving servicing providers, to

a single contractor, KBR's HomeSafe Alliance ("HSA"). TransCom expects the new program to improve quality, efficiency, and accountability.

The transition from DP3 is not progressing in the way that many in the moving industry expected. This year HSA has confronted several local Movers with a nonnegotiable vendor service agreement and a blunt message: "Join us" or we'll take your military business away and give it to our vendors.

AAction Movers ("AAction") has been moving airmen and officers at Minot AFB, ND for the last 40 years – "at least since 1976", according to AAction's president, Scott Herman. At a face-to-face meeting with HSA on July 20, 2024, Herman tried to negotiate with HSA about the terms and conditions of HSA's agreement. According to Herman, HSA's representative said the agreement was "non-negotiable" and that HSA was "fully prepared to send trucks into our market, buy or build warehouses, and

(CHAIRMAN'S CORNER continued on page 4)





PRESIDENT'S COMMENTS By Steve Weitekamp

On the preceding page is a guest column from former CMSA Chairman John Chipman Jr. that is well worth a read, even if you don't currently handle military moves. US Transcoms Global

Household Goods Contract (GHC) and its award to HomeSafe Alliance (HSA) are a case study of how NOT to roll out a new program. John is filling in for Chairman Vince Cardinale in this issue as Vince is in the middle of peak season for his Christmas Tree business. Vince definitely practices what he preaches when it comes to diversification. In addition to diversifying his moving and storage business, he has successful businesses in Halloween pumpkins and Christmas trees! Thank you, former Chairman Chipman, for your willingness to always support the Association.

While Chairman Cardinale is not writing

a December Column, it was, but a small bit of relief for a very busy Chairman. Our November schedule was full of chapters and regulatory activity, and I expect the same for January. In addition to visiting the Twin Counties, San Diego, and Orange County/ Beach Cities chapters, Vince joined me on an early morning flight to Sacramento in between San Diego and the OC meetings. In Sacramento, he joined me for the Bureau of Household Goods and Services (BHGS) Advisory Council meeting. After a four-hour meeting, we headed back to the airport and with Gale's assistance made it to the Orange County meeting. In addition to our presentations on the state of the industry, we had the unique opportunity to celebrate former CMSA Chairman Joe Hammer's 95th birthday. The date of his birthday was the date of the meeting and in the style that was common in his generation, not so much today, he didn't let the milestone get in the way of being at his chapters' dinner meeting. Happy Birthday, Joe! You give special meaning to the term CMSA Ambassador. It is difficult to believe that another year

(PRESIDENT'S COMMENTS continued on page 7)

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(CHAIRMAN'S CORNER continued from page 2)

out-source the crews necessary to service the [military] work." Scott thought HSA's threat was "crazy" and "unreasonable" until he learned that HSA representatives were "reaching out to our contractor as well as positioning JB Hunt trailers in the region." Reports indicate HSA created a new vendor and is doing moves at Minot AFB.

Why would HSA want to strong-arm a local Mover into working directly for them? HSA has failed to sign up enough local Movers and van lines to provide the packers, drivers, vans, trailers, and warehouses needed to relocate service members. By the end of 2023, HSA had promised to provide TransCom with thousands of interstate moves. As of its 3rd anniversary in November 2024, HSA's progress has been limited to providing 440 (primarily local) moves; a small fraction of the 300,000 service members TransCom moves annually.

National Van Lines' President & CEO, Tim Helenthal, sees it this way: "A cornerstone of the Global Household Goods Contract (GHC) was to get more dollars to curbside providers – the local moving companies, packers, loaders, and drivers. It's clear that goal isn't being met. Rather than buying services from the moving and storage industry, through its contract the DoD is instead beginning to interfere in the competitive market and is undermining the very providers that the GHC was trying to get more dollars to."

HSA also has other challenges. The implementation of its proprietary IT platform has suffered delays. Additionally, HSA can't explain to potential vendors how the use of independent contractors, which is the moving industry's primary service model, can comply with the mandated Service Contract Act (which is geared to an employment model). Moreover, at a time when government efficiency is being scrutinized, the GHC has proven to be absurdly expensive. Even after

(CHAIRMAN'S CORNER continued on page 6)



(NEBRASKA SUES continued from page 1)

lar Class 8 tractor, the Cascadia — said it was aware of the suit but does not comment on ongoing litigation.

Class 8 ICE vehicles and zero-emission vehicles are not "reasonably interchangeable," the plaintiffs allege in the suit, adding that electric trucks also cannot be put to the same uses as ICE trucks.

"This antitrust action challenges an industrywide conspiracy to completely phase out medium- and heavy-duty ICE vehicles," according to the suit.

"The CTP is nakedly anti-competitive. It



"These manufacturers' collusion will raise prices, reduce output, increase costs on Nebraskans, and is a classic antitrust violation." - Mac Hila

represents an industrywide commitment by

companies to reduce their output of ICE vehicles and eliminate consumer choice, which will drive up prices for those same vehicles in Nebraska and elsewhere to subsidize the so-called 'transition' to ZEVs," it added.

The CTP is a "classic antitrust violation," Hilgers said in a statement, adding that it would raise prices, reduce output and increase costs for Nebraskans.

"Eliminating diesel-powered semi-trucks is practically impossible to accomplish and would impose enormous costs on Nebraska and Nebraska companies. That is why Nebraska sued California officials from issuing an anti-democratic regulation to eliminate diesel-powered semis in their state," he said.

In May, Hilgers filed suit in the U.S. District Court for the Eastern District of California alongside 16 other states seeking to block California's Advanced Clean Fleets regulation.

The antitrust suit won support Nov. 20 from American Trucking Associations, which has criticized the pace of change required by California regulations, with President Chris Spear sending a letter to his peers at the

(NEBRASKA SUES continued on page 8)

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(CHAIRMAN'S CORNER continued from page 4)

\$100M in funding from DoD, HSA, by its own account, has only moved 440 service members. How does any government vendor pretend to rationalize charging the US taxpayer an average of \$440,000 for each of the moves it has performed?

John Campbell's moving company, Studdard Moving Group, has serviced moves at Ft. Leavenworth since World War II. "We do about 300 moves a year, mostly for officers participating in the Command and General Staff College," according to Campbell.

On October 4, 2024, HSA met in person at Campbell's office in Leavenworth, KS. HSA explained to Campbell that HSA's parent, KBR, was a \$30 Billion company before being awarded the GHC, and the GHC business would add another \$20 Billion. Additionally, HSA indicated it was prepared to protect this new revenue by investing in warehouses and moving equipment, including into the Leavenworth market. In a matter -of-fact tone, Campbell was told that HSA is

also prepared to perform military moves at Ft. Leavenworth with or without Studdard's help.

Growing up in a military family, Campbell moved multiple times; he even attended high school in South Korea. He's also a veteran of the Army National Guard, including 4 deployments. These experiences make Campbell and Studdard uniquely qualified to understand the importance of providing highquality service to our service members and their families.

Campbell is seriously considering HSA's offer. However, after comparing comparable DPS orders on HSA's current rating app, Campbell quickly realized the proposed economics were unfavorable. "There's no way Studdard could provide service members and their families with the high-quality moves they expect and deserve," according to Campbell.

Campbell hasn't signed HSA's agreement. Campbell confirms that HSA started performing local military moves in

(CHAIRMAN'S CORNER continued on page 7)



(CHAIRMAN'S CORNER continued from page 6)

Studdard's market in late October 2024. What does HSA's incursion into local markets mean to the employees and families of local Movers? Campbell says, "Trying to perform moves on HSA terms would severely damage the financial position of my company. Losing the military business will damage us in irreparable ways."

Herman, from AAction, sums it up similarly: "The impact this will have on us if HSA was to take all of our business from us in the Dakotas would be detrimental for several of our markets to the extent of potentially putting us out of business."

The Government Accounting Office is currently speaking with industry stakeholders about HSA's progress, including whether it can attract enough service capacity from local Movers and van lines to make the new GHC program a reality. The GAO's analysis goes to Congress on April 1, 2025.



(PRESIDENT'S COMMENTS continued from page 3)

is ending and the 107th annual CMSA Convention in beautiful Lake Tahoe is just around the corner, but it is true. As we close 2024 we take a moment to remember with

gratitude all who we hold dear, near and far. On behalf of our small staff, Manager Gale Iwashita, publication assistance from Debbie Denehy, and myself, we wish you all the best this holiday season and in the New Year!

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(NEBRASKA SUES continued from page 5)

truck makers named by the suit urging them to abandon the CTP.

"As your customers and partners, we ask that you work with all members of the American Trucking Associations to forge a viable path forward," he wrote. "Abandon the CTP



American Trucking Associations President Chris Spear addresses attendees of the 2024 ATA Management Conference & Exhibition in October. ATA urges manufacturers to leave California Clean Truck Partnership.

and work with us and the incoming administration in Washington to reopen Greenhouse Gas Phase 3 and revise it with achievable, national standards that put our industry on a sustainable and successful path towards a zero-emissions vehicle future. We look forward to your partnership moving forward."

"By strong-arming our industry into unachievable targets and timelines void of operational and economic reality, the California Air Resources Board's mad dash to zero has set our industry up for failure, sowing the seeds of another supply chain crisis."

The CTP applies to Class 8 tractors as well as truck models weighing more than 14,000 pounds — Classes 4-7.

That group includes heavy-duty pickups from major manufacturers Ford, General Motors and Stellantis as well as models from Isuzu, which posted the highest Class 4 retail truck sales in the U.S. in 2023, according to Wards Intelligence data.

Source: TRANSPORT TOPICS



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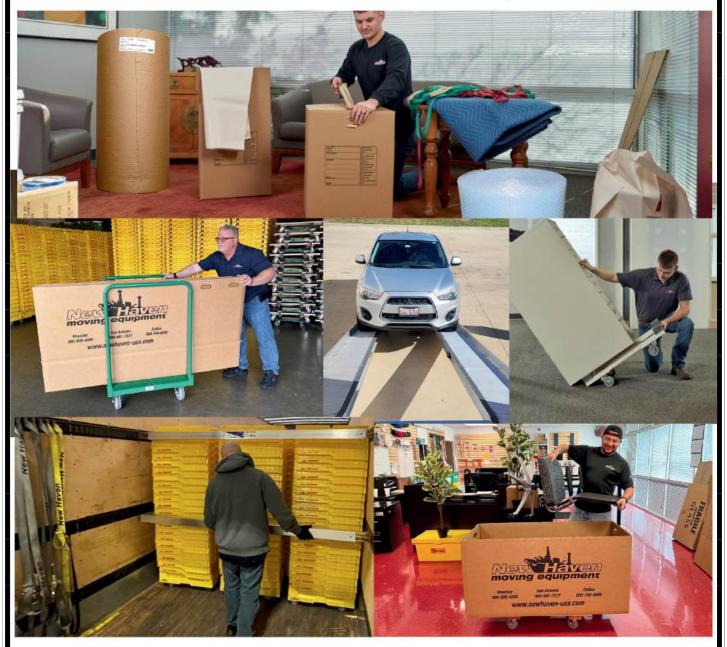
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Former Chairmen celebrating a milestone, Joe Hammer's 95th birthday which happened the same day as the Orange County/Beach Cities chapter meeting. Pictured left to right are former chairmen, Jesse Chabot, Shiree Hammer, Joe Hammer Sr., Steve Weitekamp, and Vince Cardinale. Also, present but not in the photo were Tim McCarthy, and Alan Freese.





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2025 CMSA Vocational Scholarship

CMSA will offer one-time scholarships up to \$2,000.00 (not to exceed 50% of school cost) to deserving qualified persons interested in improving their skills in a vocation by attending an accredited technical or vocational school. Applicants are not limited to any particular vocation.

All applicants must complete the required documents and submit them to be received no later than noon on <u>Tuesday, February 4, 2025</u> to: CMSA, 10900 E. 183rd St., #300, Cerritos, CA 90703 or e-mail to: <u>information@thecmsa.org</u> or fax to: (562) 865-2944. Winners will be notified by March 10, 2025 and the award recognition will take place at CMSA's 107th Annual Convention at Bally's Lake Tahoe, Lake Tahoe, NV, during the Awards Luncheon on April 26, 2025.

Requirements:

- Complete scholarship application form.
- Résumé.
- 3) Submit documentation of the cost of the vocational/technical school completed during May 2024 through April 2025 OR the school's verifiable projected cost for those just beginning their education. (Scholarship does NOT include incidental expenses such as parking, childcare, etc.) You must show receipt(s) of tuition payment to be reimbursed up to \$2,000 (not to exceed 50% of the school cost). If the student has not started the vocational school at the time the scholarship is awarded, the check will be made payable to the vocational institution.
- Two letters of recommendation from any of the following: teachers, employers or business leaders.
- 5) Written statement (approximately 250 words) describing the vocation you are pursuing and how the scholarship will help you to reach your future goals. Describe how this benefit will affect your life.

Eligibility:

- Student <u>MUST</u> be a California resident and an employee or child/grandchild of a CMSA mover or associate member company. The member company must have a current <u>ACTIVE</u> membership status for at least one year and no outstanding balance.
- Applicants must attend an accredited vocational or technical school.

Criteria for Selection:

Scholarship recipients must have a record of dedication to duty, demonstrate loyalty and a commitment to community service.

2025 CMSA Vocational Scholarship Application

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Name of Employer or Parent/Gra	andparent (Spor	nsor) Associated w/ CMSA:
Name of Company:		Position:
Address of Company:		
Street		City, State, ZIP
Sponsor's Signature:		
Names of Technical or Vocation	al Schools Appl	ying to or Currently Enrolled in:
Field of Vocational Interest:		
Student's Signature:		Date:
Please list your extra-curricular experience, family activities and		activities. Include work

CALENDAR OF EVENTS

Wed., Dec	4 Greater LA/Orange County Chapters 2024 Holiday Dinner/ Toy Drive
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- Fri., Dec 6 Northern Region Chapter **Annual Holiday Dinner**
- Tues., Dec 10 North Bay Chapter **December Meeting**
- Tues., Jan 7 Twin Counties Chapter **Special Military Meeting**

Wed., Jan 8 San Diego Chapter Special Military Meeting

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107th Annual CMSA Convention April 22 - 27, 2025 **Bally's Lake Tahoe** Lake Tahoe, NV

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Small Businesses Subject to New Federal Disclosure Rule – Penalty for Noncompliance



A new and littlepublicized federal rule requires certain small and private companies to file ownership information or face

potential penalties.

The Corporate Transparency Act (CTA), which went into effect on January 1, 2024, aims to combat illicit financial activity, including tax fraud and money laundering.

Under the new legislation, businesses that meet certain criteria must submit a Beneficial Ownership Information (BOI) Report to the U.S. Department of Treasury Financial Crimes Enforcement Network (FinCEN), providing details identifying individuals who are associated with the reporting company.

Applicable Companies

Companies covered by the rule include corporations, limited liability companies and other legal entities created by filing with one of the 50 U.S. states or a tribal government. Certain foreign companies that are registered to do business in the U.S. also will be required to file.

The CTA exempts from the reporting requirements 23 types of entities, including large companies that operate in the U.S., employ more than 20 full-time employees and generate more than \$5 million in revenue.

For a full list of exemptions, see Fin-CEN's "Small Entity Compliance Guide." **Deadlines**

Companies that existed prior to January 1, 2024 have until January 1, 2025 to file beneficial ownership information with the FinCEN.

Companies registered or created on or after January 1, 2024, however, must report beneficial ownership information within 90 calendar days after receiving actual or public notice that its creation or registration is effective. Specifically, this 90-calendar day deadline runs from the time the company receives actual notice that its creation or registration is effective, or after a secretary of state or similar office first provides public notice of its creation or registration, whichever is earlier.

A company created or registered on or after January 1, 2025 must file its report within 30 calendar days after receiving actual or public notice that its creation or registration is effective.

Filing Information

There is no cost to file a Beneficial Ownership Information (BOI) Report.

Beneficial ownership information is not an annual reporting requirement, and needs to be submitted only once, unless the filer needs to update or correct information.

Generally, reporting companies must provide four pieces of information about each beneficial owner:

- name;
- date of birth;
- address; and

the identifying number and issuer from either a non-expired U.S. driver's license, a non-expired U.S. passport, or a nonexpired identification document issued by a state (including a U.S. territory or pos session), local government, or Indian tribe. If none of those documents exist, a non-expired foreign passport can be used. An image of the document also must be submitted.

The company also must submit certain information about itself, such as its name(s) and address. In addition, reporting companies created on or after January 1, 2024, are required to submit information about the individuals who formed the company ("company applicants").

Source: CAL CHAMBER



CMSA 2025 College & Vocational Scholarship Applications Now Available!

See Page 15 & 16 for the Vocational Scholarship Application or visit: <u>CMSA Vocational Scholarship</u> For the College Scholarship application, visit: <u>2025 CMSA Scholarship Requirements and Application.pdf</u>

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2025 CONVENTION EVENTS

ALL GENERAL SESSIONS AND PANEL DISCUSSIONS ARE OPEN TO ALL MEMBERS

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CMSA GENERAL SESSION

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MILITARY BREAKOUT SESSION

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CMSA GENERAL SESSION

VAN LINE PANEL DISCUSSION

SUMMIT OF SUCCESS AWARDS LUNCHEON

CHAIRMAN'S RECEPTION & DINNER/BALL

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Acceptable Attire:Men–collared shirts, slacks or golf shorts.Women–dresses, skirts, slacks, mid-length golf shorts.Unacceptable Attire:Men–tee shirts, tank tops, denim, cut-offs or swimsuits.
Women–halter top, tee shirts, tank tops, denim, cut-offs, or swimsuits.

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Golfer 3:	Company:
Golfer 4:	Company:
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Phone:	Email Address:

GOLF CLUB RENTAL FEES ARE PAID DIRECTLY TO THE PRO SHOP-<u>NOT CMSA</u>.

If you would like to reserve a set of golf clubs, please provide a count below so that the pro shop will be sure to have enough on hand and ready for you to pick up. Golf club rentals are available at the pro, price TBD per set.
Enter # of Rental Sets: Men's RH Men's LH Women's RH Women's LH
Please mail this form, with payment to: CMSA, 10900 E. 183rd St., Suite 300, Cerritos, CA 90703 or email to: giwashita@thecmsa.org

