Major policy, management, and program issues face the
Congress and new administration in the area of labor. Many of the
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world. The nation already has a large group of economically
disadvantaged people who lack necessary skills. Annually, 900,000 or
more workers are at least temporarily dislocated and often need
retraining or help finding a new job. To address these needs, the
Congress and new Secretary of Labor must deal with an uncoordinated
system of 125 employment training programs spread across 14
departments and agencies. Many programs suffer from inadequate
federal and state oversight, inefficient service, improper
expenditures, and questionable effectiveness. The Department of Labor
(DOL) needs to ensure that workers have access to unemployment
insurance benefits when they need them. The ability of the
Unemployment Insurance system to provide income assistance to the
unemployed and help stabilize the economy during recessions has
eroded. Congress and DOL need to ensure that employers do not take
shortcuts on workers' health and safety in misguided efforts to save
money. The Occupational Safety and Health Administration must
identify ways to increase its effectiveness. The new administration
needs to ensure that the Pension Benefit Guaranty Corporation (PBGC),
which is facing financial issues, continues to monitor financially
troubled companies and to address PBGC's long-standing management
problems. (Contains 19 references.) (YLB)
December 1992

Labor Issues

United States General Accounting Office

GAO

Transition Series
December 1992

The Speaker of the House of Representatives

The Majority Leader of the Senate

In response to your request, this transition series report discusses major policy, management, and program issues facing the Congress and the new administration in the area of labor. These issues include (1) improving the skills of America's workers by addressing the school-to-work transition of youth, helping the economically disadvantaged obtain training, and facilitating the reemployment of dislocated workers; (2) assessing the ability of the unemployment insurance system to meet its objectives; (3) improving the Occupational Safety and Health Administration's enforcement efforts; and (4) addressing financial and management concerns relating to the Pension Benefit Guaranty Corporation.

As part of our high-risk series on program areas vulnerable to waste, fraud, abuse, and mismanagement, we are issuing a related report, Pension Benefit Guaranty Corporation (GAO-HR-93-5).

The GAO products upon which this transition series report is based are listed at the end of the report.

We are also sending copies of this report to the President-elect, the Republican leadership of the Congress, the appropriate congressional committees, and the Secretaries-designate of Labor and Education.

Charles A. Bowsher
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Transition Series
Labor Issues

The American workplace is changing in response to international competition. Economic change, coupled with the adoption of new technologies and the restructuring of work, is resulting in worker dislocation and shifts in the skill demands for new workers. Increasingly, companies are looking for workers with greater technical skills and workers who are versatile and able to adapt to changing conditions—by learning new skills, changing their roles in the workplace, working in teams, sharing management responsibilities, and solving problems. Labor needs to help current and future workers adapt to this changing workplace to foster the United States' competitive position in world markets.

The challenges facing Labor are great. First, many of the nation's youth are leaving school poorly prepared for this new work world. We estimate that about one in three youth aged 16 to 24 will not have the skills needed to meet employer requirements for entry-level, semiskilled, high-wage occupations. Second, the nation already has a large group of the economically disadvantaged—between 10 and 39 million—who lack necessary skills. Third, 900,000 or more workers annually are at
least temporarily dislocated and often need retraining or help finding a new job.

To address these needs, the Congress and the new Secretary must deal with an uncoordinated system of 125 employment training programs spread across 14 departments and agencies with over $16 billion in annual funding. Many of these programs tend to suffer from inadequate federal and state oversight, inefficient service to those in need, improper program expenditures and, in some programs, questionable effectiveness.

In addition, Labor needs to ensure that workers have access to unemployment insurance benefits when they need them and to the pensions due them when they retire. The ability of the Unemployment Insurance system to provide income assistance to the unemployed and help stabilize the economy during recessions has eroded. The aggregate liability in the 85,000 plans PBGC insures is over $900 billion. Collectively, these insured plans have over $1.3 trillion in assets. However, about $40 billion of the liabilities do not have matching assets, and at least $13 billion of this amount is in plans of financially troubled companies. PBGC has a current deficit of $2.3 billion, and PBGC's
most pessimistic projection is that the deficit could reach $17.9 billion by 2001.

In addressing these issues, the Congress and Labor need to make sure that employers do not take shortcuts on workers' health and safety in misguided efforts to save money. Annually, about 1.7 million workers are disabled by on-the-job injuries, and about 110,000 die from work-related causes. A total of 2,000 inspectors safeguard 88 million workers in the nation's 6 million worksites. OSHA, together with its state counterparts, must find innovative solutions to ensure safe and healthful workplaces.
Improving the Skills of American Workers

The United States' ability to compete in the international marketplace depends to a great extent on the skills of its workers. Federal programs for preparing the nation's youth for the workplace and for upgrading the skills of economically disadvantaged workers and dislocated workers are fragmented. The 125 federal employment training programs for adults and out-of-school youth—with funding of $16.3 billion in fiscal year 1991—often operate in isolation and create a difficult maze for service providers and the unemployed. Many of these programs also tend to suffer from inadequate federal and state oversight, inefficient service delivery, improper program expenditures and, in some programs, questionable effectiveness.

The Congress and the new administration need to focus on creating a more coherent, effective, and accountable employment training system. Department of Labor programs that are important to this effort cover at least three areas:

- improving the school-to-work transition for youth,
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- helping the economically disadvantaged get the necessary skills to enter the mainstream work force, and

- facilitating the reemployment of workers dislocated by economic adjustments and policy changes.

Helping Students Transition From School to Work

Many of America's youth have been leaving high school poorly prepared for the world of work. Given the profound changes taking place in workplaces in the United States and abroad, they may be even less prepared for the workplace of the future. In contrast to the United States' lack of policy on youth, this nation's principal foreign competitors emphasize that all youth be prepared for work and be ready to adapt to workplace changes.

U.S. school systems have a curriculum geared to serving college-bound youth; yet only 30 percent of U.S. graduates go on to a 4-year college. Those not heading for college often are carried along in undemanding or poor quality programs that frequently do not give the students skills employers need. In addition, many students drop out of school and do not graduate.
We estimate that about one in three youth aged 16 to 24 will not have the skills needed to meet employer requirements for entry-level, semiskilled, high-wage occupations—5.5 million high school dropouts and 3.8 million youth who lack high school competencies. In the past, these youth—even though they had few skills and limited language and computation skills—could eventually get entry-level positions in semiskilled, higher-wage occupations. Now, these kinds of jobs are increasingly being phased out; getting jobs with high-wage potential requires high skills. In addition, employers want employees who are versatile and able to adapt to changing conditions not only by learning new skills, but also by changing their roles in the workplace—by working in teams, sharing management responsibilities, and solving problems.

The challenge facing the Congress and the incoming administration is how to adapt the nation's education and training systems to more effectively prepare youth for the world of work. While the Department of Education is responsible for elementary and secondary education, overlap exists with the Department of Labor in secondary and postsecondary skill training. (For issues
relating to the Department of Education, see the transition series report, Education Issues GAO/OCG-93-18TR, Dec. 1992.) The magnitude of the problem requires strong federal leadership in many areas, but we see a need for Labor efforts, combined with those of Education and the Congress, to focus, in particular, on

- fostering the development of closer school-employer linkages to provide youth with structured work experience, instructional programs that meet employer needs, and preparation for occupations in demand and

- developing national data and conducting evaluations to identify and promote effective transition strategies.

On the basis of our studies of foreign approaches for improving the school-to-work transition, we suggested expansion of school-employer linkages, particularly apprenticeship-type programs. However, specific foreign approaches may not be readily transferable because they have evolved in different contexts. For example, about two-thirds of German youth are served by the German apprenticeship system, while apprenticeships in the United
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States are primarily programs for those already working—the average age of U.S. apprentices is 29. In addition, the U.S. apprenticeship system is primarily limited to the building trades and some metal trades occupations, while the German system involves 380 occupational areas covering essentially all nonprofessional career options.

Modifying the nation's apprenticeship system to serve large numbers of youth likely could be difficult, yet adding apprenticeship-type programs to the educational system shows promise. Our studies of apprenticeship-type programs, which have strong links to employers, have identified three basic types of programs. For example, high-quality cooperative education is one such program that provides high school juniors and seniors with work experience and on-the-job training, together with job-related classroom instruction. Students learn about the working world, acquire job skills, and often are offered permanent employment with their co-op employer. Similarly, school-to-apprenticeship programs offer high school seniors structured skill training, but they have the additional benefit of being tied into the formal apprenticeship system. High
school academy programs operate as schools-within-schools and provide training in a series of occupations related to a single industry. For example, the Academy of Applied Electrical Science, housed in Philadelphia’s Thomas Edison High School, trains youth for careers in the electrical trades. Programs are developed with extensive input from employers and often involve practical “hands on” experience.

The Congress together with the new administration from both the Departments of Labor and Education could build on promising approaches that already exist in the United States—such as cooperative education, youth apprenticeship, and high school academies—rather than create a totally new program or attempt to impose a single, foreign-derived solution. Apprenticeship-type training is, however, only one part of the strategy. The Congress and the new administration need to address other elements, such as career education and competency-based skill standards, to develop an integrated, comprehensive youth school-to-work transition strategy. To that end, we are conducting a study that will describe model comprehensive school-to-work transition strategies.
Some of America's foreign competitors, notably Germany, maintain quality occupational training by using competency testing and certifying that trainees meet national standards. Employers view certificates as evidence that trainees have achieved particular skill levels. In the United States, certificates often certify course completion and not necessarily the attainment of skills. It is now recognized that the United States needs to move toward the use of competency-based skill standards and certification. The Departments of Labor and Education have started such efforts. We are currently studying the development and use of occupational skill standards and certification systems. We are looking at the barriers that existing systems have had to overcome, how federal efforts could facilitate the development and adoption of new systems, and how the two Departments are working together in their efforts to foster the development and use of skill standards.

Finally, many students, their parents, and employers are unaware of the potential benefits of alternative approaches to the transition to work. Because high school cooperative education, like vocational education, has a reputation as a "dumping ground" for academically weak students,
Providing Employment and Training Assistance to Economically Disadvantaged Workers

A total of 65 programs provide employment training assistance to the economically disadvantaged. The Job Training Partnership Act (JTPA), enacted in 1982 and amended in 1992, is the federal government’s principal employment training program. JTPA, administered by the Department of Labor, is a highly decentralized program that has a $4 billion annual budget and encompasses many programs, including the Job Corps, dislocated worker programs, and summer youth programs. Most JTPA participants receive job training services through programs run by the 56 states and territories and over 600 local programs. In addition to Labor, other departments are major players in providing employment training opportunities. The Job Opportunities and
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Basic Skills program, which is administered by the Department of Health and Human Services, funds $1 billion in employment training programs, while Education's Pell grant program makes available over $2 billion in funding for postsecondary training.

The Congress and the new administration can make these programs work better to improve the delivery of employment and training services by ensuring the effective implementation of the 1992 amendments to JTPA, integrating services provided by numerous programs, evaluating intervention strategies, and seeking more effective approaches.

Our work on JTPA has revealed many shortcomings in program operations that we noted in our 1988 transition report; many were addressed by amendments to the program that were signed into law in September 1992. The issues addressed by the legislation include the lack of targeting of the program's limited resources, abuses in on-the-job training contracts, weak program evaluation and oversight, limited data collection, and disparities in the services provided to minorities and women. For the most part, the amendments take effect
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July 1, 1993. The new Secretary of Labor will need to oversee the initiation of these changes and ensure that they are fully implemented and adequately monitored.

Federal efforts to upgrade the skills of economically disadvantaged workers are carried out through 65 different programs. In addition to JTPA, other programs targeted on the economically disadvantaged are administered by 12 federal departments and independent agencies. These myriad programs do not function as a comprehensive, cohesive system, but often operate in isolation. It is time to look at how the federal programs could work together as a system to more effectively provide employment training assistance to the economically disadvantaged. A key institution is the Employment Service, whose performance we have found to be uneven, but whose 1,700 offices nationwide could play a central role in making the programs operate as a system. Our ongoing work will provide options for the new administration and the Congress to consider as they look across the federal training programs and search for ways to enhance their coordination, cooperation, and integration to ensure that their services more
fully benefit the economically disadvantaged.

JTPA is viewed as a relatively successful program because most of those who enroll in the program get jobs. However, we do not know how well these individuals would have done without JTPA assistance, or the long-term benefits of such training. Initial results from a study of JTPA’s effectiveness suggest that, on a short-term basis, the program may not be effective for youth and may be only marginally effective for adults.1

As long-term results from the evaluation are reported and as the recent legislative changes to JTPA are implemented, the Congress and the new administration should (1) monitor their results, (2) examine the appropriateness of current training interventions, and (3) consider pursuing alternative approaches to achieving more effective outcomes. These actions do not necessarily mean designing new programs, but rather analyzing the reasons for the results so that corrective actions can be taken. As we have recommended in the past, Labor has recently made extensive changes to its data collection on program

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Assisting Dislocated Workers

As the American economy continually adjusts to changing product demand and competitive conditions, different sectors of the economy grow while others decline, resulting in the dislocation of an average of 900,000 workers annually over the last 10 years. Progress on the North America Free Trade Agreement, the recession, and the restructuring that many companies are undertaking to streamline their organizations have heightened concerns about the adequacy of dislocated worker programs.

Two programs have been established specifically to assist dislocated workers in their transition to reemployment—the Trade Adjustment Assistance and the Economic Dislocation and Worker Adjustment Assistance programs. The Trade Adjustment Assistance (TAA) program is an entitlement that assists workers who lose their jobs because of increased imports. The Economic Dislocation and Worker Adjustment Assistance program (EDWAA) provides
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assistance to 11 workers regardless of the reason for the dislocation. Together the programs served about 325,000 workers at a cost of $540 million in 1990. The two programs provide similar reemployment services—skill training and job search assistance—except that the program for import-impacted workers has an extended income support feature.

Helping dislocated workers who need assistance to upgrade their skills so that they can find new jobs should be a key part of any strategy considered by the Congress and the new administration for strengthening the competitive position of American business in the international marketplace. On the basis of our work on the two primary assistance programs for dislocated workers, we believe that the Congress and the new administration need to

- streamline the process for determining eligibility for the Trade Adjustment Assistance program to ensure access to benefits;

- ensure that projects provide a comprehensive mix of services to meet the varied needs of individual dislocated workers, coordinate the services provided by
the programs, and provide the assistance in a timely manner; and

- develop adequate data-gathering systems that track participant progress and monitor program performance, and to ensure that programs are effective, conduct evaluations that determine how well the affected individuals would have done without the programs.

Our assessment of the Trade Adjustment Assistance certification process showed that most of Labor’s investigations to determine if imports had contributed to the loss of employment were flawed, thus jeopardizing workers’ access to benefits. To be eligible for the TAA program, a worker must be a member of a group of workers that Labor certifies as import impacted. We found that 63 percent of the investigations for petitions filed in 1990 and 1991 had (1) incomplete, inaccurate, or unsubstantiated data collected from the company; (2) incorrect or omitted analyses of trade statistics; or (3) inadequate or omitted customer surveys. Many of the flaws were the result of the pressure to complete the investigations in 60 days, pressing investigators to take shortcuts in collecting and analyzing data. We have suggested that the Congress consider
alternatives for streamlining the process or changing some of the requirements that workers need to satisfy to be certified as import impacted.

We noted in our 1988 transition report that successful dislocated worker assistance projects had certain similar characteristics, such as tailoring assistance and reaching workers at or near the time of layoff. Our recent work has raised questions about the assistance efforts provided under the Trade Adjustment Assistance and the Economic Dislocation and Worker Adjustment Assistance programs that the Congress and the new administration need to address:

- The mix of services offered by the two dislocated worker assistance programs has been limited in some instances; as a result, the services participants received may not have been tailored to their specific needs. For example, the Trade Adjustment Assistance program offers participants classroom training in a variety of occupations, but generally it does not offer the option of on-the-job training. In contrast, in some EDWAA projects, participants may be offered on-the-job training positions, but nothing in the way of basic skills training.
The two programs generally are slow in reaching workers. For example, in two of the three states we studied, less than 10 percent of workers received assistance from TAA within 15 weeks of their layoff; in each of the three states, EDWAA reached less than 60 percent of workers within 15 weeks.

In addition, improved coordination has the potential to make services more widely available. Improved coordination between the programs could mean that workers awaiting Labor's certification as trade-impacted could begin receiving assistance from EDWAA.

We found that neither the Trade Adjustment Assistance nor the Economic Dislocation and Worker Adjustment Assistance program gather sufficient information to adequately track participant progress, monitor program performance, or evaluate their effect. Labor recently adopted new reporting requirements for the EDWAA program, but these have not been extended to TAA. For the Congress and the new administration to effectively evaluate the performance of both these programs, data on TAA participants, services, and outcomes will also be needed. In addition, an evaluation of what would
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have happened to participants in the absence of these programs needs to be conducted.
Assessing the Adequacy of the Unemployment Insurance System

The Unemployment Insurance (UI) system is this country's primary means of providing income assistance to unemployed workers. Through a combined federal-state partnership, the system provides benefits to unemployed workers who are ready, willing, and able to work and who meet their state's eligibility requirements. Ninety-seven percent of the wage and salary workers in the United States are covered under this program. Its principal objectives are to (1) temporarily replace a portion of the lost wages of workers who are unemployed and (2) help stabilize the economy during recessions by providing the unemployed with a portion of their former purchasing power.

During fiscal year 1991, over $24 billion in benefits was paid to over 10 million unemployed workers. Some workers received extended benefits for 13 weeks more than the usual 26 weeks, because of the long period of high unemployment in their states. In addition, because the extended benefits program was not activated in many states, a temporary, federally funded emergency program was enacted.

The ability of the Unemployment Insurance program to meet its objectives of temporary
Assessing the Adequacy of the Unemployment Insurance System

and partial wage replacement and economic stabilization has been eroding. In 1952, nearly 55 percent of the unemployed received Unemployment Insurance (UI) benefits, but that percentage decreased to 29 percent in 1984 and remained at historically low levels through the 1980s. The percentage of the unemployed receiving benefits, which usually rises during recessions, reached 40 percent in 1991, still some 10 percentage points lower than in most recent recessions. Also, if the UI recipiency rate and benefit payments were at the same level as during the 1974-75 period, about $20 billion more in UI benefits would have been available to help stabilize the economy and maintain a portion of the incomes of the unemployed. We are conducting a study to determine factors associated with the declining proportion of the unemployed receiving benefits and the effects of this decline on the system’s ability to meet its objectives.

As the economy begins to pull out of recession, the states will need to rebuild their reserves to levels adequate to withstand future recessions. This is an appropriate time for the Congress and the new administration to carefully assess the Unemployment Insurance system’s ability to meet its objectives of stabilizing the
Assessing the Adequacy of the
Unemployment Insurance System

economy and providing the unemployed
with partial wage replacement and to
evaluate whether system modification is
needed to improve its ability to meet these
objectives.
Improving the Occupational Safety and Health Administration's (OSHA) Enforcement Efforts

The Occupational Safety and Health Administration (OSHA) and states that operate workplace safety and health programs under its approval cover about 6 million worksites and 88 million employees. OSHA and the state agencies, armed with a total of 2,000 inspectors, must find innovative solutions to ensure that employees' workplaces are safe and healthful. Improvement is clearly needed—an estimated 1.7 million disabling on-the-job injuries occur each year and 390,000 new cases of occupational diseases are identified annually. In addition, an estimated 10,500 workers die each year from on-the-job injuries, and another 100,000 workers lose their lives to work-related diseases.

The Congress has considered legislative solutions to some of OSHA's difficulties. Although the Comprehensive Occupational Safety and Health Reform Act failed to become law in 1992, OSHA reform legislation remains a priority item for the next congressional session. The Congress and the new administration need to ensure that OSHA finds ways to expedite the setting of safety and health standards and improve the effectiveness of its inspection and hazard abatement programs. In addition, OSHA must
explore innovative enforcement strategies, such as encouraging employers to identify and correct workplace hazards even without an OSHA inspection, given its limited capability to conduct inspections.

Employees continue to be exposed to many hazardous work practices, conditions, and substances because of delays by OSHA in meeting its statutory responsibility to issue safety and health standards. Since 1971, OSHA has promulgated fewer than 30 health and 40 safety standards, and it routinely takes up to 10 years from the time it recognizes the need to regulate until the regulation is finalized. One attempt to speed up the process was recently rejected in judicial review. OSHA had updated the permissible exposure limits for over 400 substances in one rulemaking effort, taking less than 2 years. However, the court ruled that OSHA could not change multiple exposure levels without providing support for each change.

We identified this issue in our 1988 transition report as an area in which OSHA should take action, although Labor has made little improvement since then. The Congress and the new administration need to explore other options to expedite the standard-
Improving the Occupational Safety and Health Administration's (OSHA) Enforcement Efforts

setting process, such as those contained in legislation considered in the 102nd Congress.

Over the past 4 years, we have identified changes that could make OSHA's enforcement efforts more productive by

- using more accurate data on injuries and illnesses and data about specific worksites, not just about which industries are most hazardous, to better target employers for inspection;

- requiring employers to confirm that they have corrected the identified hazards after being cited for violations of safety and health standards; and

- assessing penalties that could reasonably be expected to deter employers from violating safety and health standards.

With a ratio of one inspector to 3,000 worksites, OSHA and the state agencies must find ways to extend their impact far beyond the limited number of worksites they can directly inspect. OSHA and the states need to encourage employers to voluntarily identify and correct workplace hazards without an OSHA inspection. One way to do this is through the formation of comprehensive
worksite safety and health programs. After reviewing the experience in states that require employers to have such programs, which sometimes include required joint labor-management safety and health committees, we (1) suggested that high-risk employers be required to have comprehensive safety and health programs and (2) recommended that OSHA use evaluation studies to determine whether other groups of employers should be required to have these programs.

If OSHA is going to identify ways to increase its effectiveness, it will have to increase its emphasis on evaluation. Again, little progress has been made in recent years as OSHA continues to devote few resources to collecting information on the impact of its policies and program activities or those of the state-operated safety and health programs. Thus, its managers are limited in their ability to make informed decisions, plan effectively, and identify program activities that need to be improved to increase program effectiveness. The new administration needs to develop an information and evaluation strategy to improve program effectiveness.
Addressing Financial Concerns Relating to the Pension Benefit Guaranty Corporation (PBGC)

The Pension Benefit Guaranty Corporation (PBGC) was established by the Employee Retirement Income Security Act of 1974 to insure retirement benefits promised by private defined-benefit pension plans. The aggregate liability in the 85,000 plans PBGC insures is over $900 billion. Collectively, these insured plans have over $1.3 trillion in assets. However, about $40 billion of the liabilities do not have matching assets, and at least $13 billion of this amount is in plans of financially troubled companies. PBGC has a current deficit of $2.3 billion, and PBGC's most pessimistic projection is that the deficit could reach $17.9 billion by 2001. The financial issues facing PBGC are covered in more detail in our high-risk report.

The major threat to the Pension Benefit Guaranty Corporation is from seriously underfunded pension plans that could terminate in the near future. A sudden sequence of terminations of large underfunded plans would burden PBGC administratively and might impair its ability to meet its financial obligations without spending down its asset base. The current deficit will be a burden on future taxpayers if available assets are insufficient to pay insured benefits.
Addressing Financial Concerns
Relating to the Pension Benefit
Guaranty Corporation (PBGC)

Premiums paid by covered plans do not reflect the insurance risk to PBGC. The fixed premium probably overcharges well-funded plans for the risk PBGC assumes in insuring them; the capped variable premium undercharges underfunded plans.

In recent years the agency has taken strong actions to manage some of the larger liabilities, such as the LTV Corporation, to reduce PBGC's exposure. On the other hand, PBGC has never produced auditable financial statements, the premium collection system has not operated properly, and the computer systems have been designed in a haphazard fashion.

The new administration needs to (1) ensure that PBGC continues to monitor financially troubled companies as in the cases of the TWA bankruptcy and the financial negotiations between Chrysler and its creditors and (2) address PBGC's long-standing management problems. In addition, the Congress needs to strengthen the funding standards for underfunded pension plans and adjust premiums to better reflect risks.
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