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AFFIDAVIT OF HERMAN P. MILLER

COMES NOW, Herman P. Miller, being first duly sworn upon his oath states the following:

I am currently an economic consultant in Silver Spring, MD, and a fellow in the American Statistical Association. I previously functioned as the chief of the Population Division of the Census Bureau, the unit responsible for collecting and disseminating earnings and employment data on persons with a work disability.

There are various surveys that measure the experiences of persons with disability. In determining the appropriateness of disability data for a given purpose, it is important to distinguish between definitions of disability used in the various surveys. Surveys such as the Survey of Income and Program Participation deal with a broad definition dealing with functional limitations, and ask people about their ability to perform activities of daily living (similar to the definition in the Americans with Disabilities Act). The Current Population Survey (CPS), however, focuses more narrowly on work disability, which is more directly relevant for assessing loss of lifetime earnings sustained as a result of injury.

The work disability data and concepts in the CPS were developed, published, and used by the Census Bureau under the watchful eye of the Bureau of the Budget. Two reports published by the Census Bureau in 1983 and 1989 under the title *Labor Force Status and Other Characteristics of Persons with a Work Disability* make it clear that the Bureau is most interested and very serious about studying characteristics of people with work disabilities. The Census Bureau continues annually to calculate and freely disseminate detailed calculations showing the characteristics of people with work disabilities. In addition, the consistency of the CPS and the fact that data are gathered annually allows data from multiple years to be joined together to derive employment rates that are more statistically reliable.

These facts combined with a large sample size make CPS data the most appropriate source for studying the employment experiences of people with a work disability. In my opinion, *The New Worklife Expectancy Tables* published by Vocational Econometrics, Inc. make appropriate and accurate use of these data.

FURTHER AFFIANT SAYETH NAUGHT.



Herman P. Miller

Subscribed and sworn to before me, a notary public, on this 6 day of Aug. 2001.



TRACY L. CLOUD
Notary Public
Prince Georges Co., MD
My Comm Exps. April 08, 2003