

**Addendum to the Supporting Statement for SSA-964I  
Incorporation by Reference of Oral Findings of Fact and Rationale in Wholly  
Favorable Written Decisions (Bench Decision Regulation)  
20 CFR 404.953 and 20 CFR 416.1453  
OMB No. 0960-0694**

**Justification for Non-Substantive Changes to the Collection or Resubmission of the  
Collection within One Year of OMB Approval**

A Bench Decision is by definition an oral decision. Since the ALJ gives the decision on the record, SSA sends a Notice of the Bench Decision simply as a vehicle to notify the claimant in writing of that oral decision and provide appeals rights and information for the effectuating component. The cover notice references how to obtain a copy of the bench decision using the following language:

If you want more information about my decision, you should file a written request for this information at any local Social Security office or a hearing office. Please include the Social Security number shown above on your request. If you ask for it, we will provide you with a record of my oral decision at the hearing.

This notice explains the following language from the regulation citations at 20 CFR 404.953 and 416.1453:

If the decision incorporates by reference the findings and the reasons stated in an oral decision at the hearing, the parties shall also be provided, upon written request, a record of the oral decision.

When we submitted this ICR in November 2007, we were unaware of the attached notice. Now that it has come to our attention that the notice contains language pertaining to the obtaining of the Bench Decision, we are including it in the ICR.