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MARK W. MAYER
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September 20, 2010

VIA E-MAIL (director@fasb.org)

Mr. Russell G. Gordon
Technical Director
Financial Accounting Standards Board
401 Merritt 7
P.O. Box 5116
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Re: File Reference No. 1840-100; Exposure Draft – Proposed Accounting Standards Update (Disclosure of Certain Loss Contingencies)

Owens Corning appreciates the opportunity to offer comments on the Financial Accounting Standards Board (“FASB”) proposed accounting standards update “Disclosure of Certain Loss Contingencies” (the “Exposure Draft”). Owens Corning is a leading global producer of glass fiber reinforcements and of residential and commercial building materials.

We understand and support the FASB’s goal of ensuring that disclosures adequately inform readers about the potential timing and magnitude of cash outflows associated with loss contingencies. However, we do not support the Exposure Draft in its current state. First, the Exposure Draft’s additional disclosure requirements of asserted claims could potentially put corporate litigation defendants at an unfair disadvantage through disclosing prejudicial information. Second, we believe that the disclosure requirements within the Exposure Draft related to remote loss contingencies will potentially mislead readers of financial statements by placing prominence on these items solely because they are asserted claims. Finally, the timeline for adoption does not allow sufficient time to fully implement the proposed standard. Specifically, our concerns on the Exposure Draft are as follows:

- Implementation of the Exposure Draft could potentially have a negative impact on corporate litigation defendants. In 450-20-50-1F paragraph b., the Exposure Draft requires a company to disclose its basis for defense during the early stages of asserted litigation contingencies and to provide more extensive disclosure in subsequent reporting periods. Requiring a company to provide prejudicial information related to its litigation strategy would subject the company to greater risks and costs. Ultimately, these risks and costs would be borne by the company’s stockholders.

Also, the disclosure requirements and tabular reconciliation of accrued loss contingencies would provide insight to the plaintiff of the defendant’s assessment of

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potential exposure, which could create a minimum for any settlement negotiations. While the exposure draft does permit aggregation of similar contingencies so that disclosures are not too detailed, the aggregation clause, in practice, will not provide adequate protection where there is a minimum amount of contingencies within a category.

For the above reasons, we believe that maintaining existing GAAP disclosure requirements is appropriate. However, if the Exposure Draft is enacted, there should be an exemption clause that would allow companies to forego disclosing information that they have determined would expose the company to providing prejudicial information related to current or potential litigation.

- Within 450-20-50-1D, the requirement to disclose remote loss contingencies would place importance to matters only because they are asserted claims. This will cause greater and undue prominence within the basic financial statements to be placed on remote asserted loss contingency claims versus other relevant risks, such as those disclosed by public companies in their risk factors. Therefore, we believe that there should be no requirement to add disclosure for remote loss contingencies as the existing standards provide readers relevant information regarding a company's risk to loss contingencies and other risk factors.
- We do not believe that the timeline for the Exposure Draft allows for sufficient time to prepare the expanded disclosure requirements. If the Exposure Draft is enacted, we believe the implementation date for all companies should be no earlier than for fiscal years ending after December 15, 2011. This will allow for the appropriate time to analyze the requirements, determine what additional information will need to be gathered, provide training on the new standards, and design and implement the necessary controls under Section 404 of the Sarbanes Oxley Act.

In conclusion, we do not see significant benefits to readers of financial statements of the added disclosures that would be required if this Exposure Draft is enacted. Rather, we believe the requirements in this Exposure Draft are more likely to detract from the reader's understanding of a company and could potentially harm companies in their litigation proceedings.

Very truly yours,

Mark W. Mayer
Vice President and Chief Accounting Officer