



Pension Benefit Guaranty Corporation
1200 K Street, N.W., Washington, D.C. 20005-4026



MAR 18 2005

Re: Case 194025, Trans World Airlines, Inc.
(TWA) Retirement Plan for Employees - Noncontract
Personnel (the Plan)

Dear

The Appeals Board reviewed your appeal of PBGC's October 28, 2004 determination that you did not qualify for a disability retirement benefit from the Plan. For the reasons stated below, the Board changed PBGC's determination by finding that you became Disabled under the Plan's terms on September 29, 1988 after more than 24 years of service with TWA, and are, therefore, entitled to a disability retirement benefit from the Plan.

As a result of the Board's finding, PBGC will send you a new determination regarding the disability retirement benefit payable to you. You will have 45 days to appeal that determination

PBGC's Determination and Your Appeal

PBGC's determination said that you were not entitled to a disability retirement benefit because you became disabled after you terminated employment with TWA.

Your January 24, 2005 appeal claimed that your disability started at least as early as 1986. With your appeal letter, you enclosed 15 pages of "medical and attendance information," documenting applications for TWA medical leave.

On April 23, 2004, before PBGC issued its determination, you sent PBGC a copy of your Social Security Administration Disability Award (SSADA) along with paperwork regarding your disability.

Discussion

The Appeals Board reviewed the Plan's provisions regarding disability retirements (**Enclosure**) as well as documents that you provided, including your SSADA. Based on the documents available to the Appeals Board, the Board found that your mental impairments were of such severity on September 29, 1988 that you were not able

to engage in any gainful work, that you have not engaged in any gainful work since that time, and that the impairments are likely to be permanent. Based on the fact that you had completed more than ten Years of Service at the time you became Disabled, the Board found that you are entitled to a disability retirement benefit from the Plan.

Please note, however, that although the Appeals Board found that you have met the requirements for a disability retirement benefit under the Plan at this time, 29 Code of Federal Regulations § 4022.6(c) provides that:

"a participant may be required, upon the request of the PBGC, to submit to an examination or to submit proof of continued total and permanent disability. If the PBGC finds that a participant is no longer so disabled, it may suspend, modify, or discontinue the payment of the disability benefit."

Decision

Having applied provisions of the Plan to the facts of this case, the Appeals Board changed PBGC's determination by finding that you became Disabled under the Plan's terms on September 29, 1988 after more than 24 years of service with TWA, and are, therefore, entitled to a disability retirement benefit from the Plan.

We will send a copy of this decision to PBGC's Benefit Administration & Payment Department (BAPD), the group responsible for determining benefits and making benefit payments. BAPD will send you a new determination, with a new 45-day right to appeal, concerning the amount and starting date of your disability retirement benefit.

If you need more information about your benefit, please call PBGC's Customer Contact Center at 1-800-400-7242.

Sincerely,



Michel Louis
Appeals Board Member

Enclosure