

September 2, 2025

William Joseph Monahan

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The Honorable Charles E. Grassley
United States Senate
135 Hart Senate Office Building
Washington, DC 20510

Re: 9 February 1982 Fatal Aircraft Mishap of Major William Jay Monahan, Flight Commander, 192d Tactical Fighter Group (TFG) - Current USAF Directives Require Re-Opening and Re-Investigating the Ethically Conflicted Accident Investigation Board (AIB) Composed of 192d TFG AIB Sr. leadership and subordinates

Dear Senator Grassley,

On behalf of widowed U.S. Army Captain Phyllis Lehn Monahan (Ret'd) and 100% service-connected disabled (SCD) veteran (my mother), I am seeking:

The re-opening and re-investigation of the 9 February 1982 Fatal Aircraft Mishap of Major William Jay Monahan, Flight Commander, 192d Tactical Fighter Group (TFG) and full restitution for Captain Monahan

Introduction

On 9 February 1982, with the sun rising over the mirror-like water on Pamlico Sound, an A-7D fighter jet flown by Major William Jay Monahan of the 192d Tactical Fighter Group (TFG), crashed into the still North Carolina water. But the aircraft crashed *only after* dropping parts over a distance further than the length of three (3) football fields as the aircraft traveled along the water. It was not until shortly after the A-7D's vertical tail was ripped off - and then its engine fell out - that Major Monahan and the A-7D crashed into the Sound.

The U.S. Air Force (USAF) Aircraft Investigation Board (AIB) who investigated the fatal mishap also wrote the AIB Report that attributed “pilot-error” as the cause of the fatal mishap. The four-member AIB was composed entirely from the 192d TFG. That is, the Mishap Unit’s leadership formed the AIB using only Mishap Unit members. The Mishap Unit then wrote the AIB Report, finding “pilot-error”:

Captain Monahan has *yet to receive any evidence* of an omission, commission, or negligent act of Major Monahan that supports the AIB’s finding: “pilot-error”.

Present USAF directives state that where a fatal aircraft AIB is composed of 51% or more of Mishap Unit members, the AIB has a conflict of interest. The conflict of interest is so great, that the USAF is required to re-open and re-investigate the fatal aircraft mishap. The USAF directive is retroactive, subject to the availability of evidence.

On 13 April 2025, Captain Monahan filed her hotline complaint with the USAF Inspector General.

On 23 June 2025, the USAF OIG informed Captain Monahan that the USAF destroyed the AIB file. The USAF OIG then said there was nothing further they could do. The USAF OIG did not address the Revised AIB Report of 13 April 2025 (Revised AIB Report) that Captain Monahan submitted in support of her complaint.

Fortunately, Captain Monahan maintained a full copy of the AIB and all related files and correspondence. USAF Lt. Bradley C. Hosmer (Ret'd) and former USAF Inspector General reviewed the AIB, TABS A-X, and the Revised AIB Report, and supports, and agrees with, the Revised AIB Report’s findings and analysis, and based on such, would have reached a conclusion “other than ‘pilot error’”. General Hosmer’s statement may be found at www.correcttheinjustice.com.

I. Examination of the Maintenance Records

A. The What: Understanding the role to which pilot-error played in the crash, if any, requires nothing more than knowing that the aircraft crashed *only after* its vertical tail wing was ripped off and the engine fell out. As shown below, and at www.correcttheinjustice.com, the Mishap

Unit (*i.e.*, the 192d TFG), in a bold conflict of interest, formed and adjudicated Major Monahan's entire AIB, wrote the AIB Report, and self-servingly concluded: "pilot-error."

B. The Why (What Was the Mishap Unit-led AIB's Motivation?): Major Monahan's aircraft fatal mishap was the second fatal aircraft accident within 12 months for the 192d TFG, which at that time was a relatively small fighter group. The prior fatal aircraft mishap was also *not* pilot-error: the aircraft exploded shortly after takeoff. Unless Major Monahan was found at-fault in this crash, then the 192 TFG would have been responsible for two, back-to-back, non-combat, fatal aircraft mishaps in less than one year. The ripples from such a finding would certainly affect the entire Mishap Unit-led AIB, the 192d TFG, and possibly higher echelons.

C. The How: To understand how the Mishap Unit-led AIB was able to conceal the cause of this fatal air crash is to understand that there were no eye-witnesses to the fatal aircraft mishap. It certainly was fortuitous to the finding of "pilot-error" that the Mishap Unit-led AIB was unable to recover the last couple minutes of Major Monahan's communications immediately prior to the crash.

Then all the Mishap Unit-led AIB had to do was simply not discuss or infer in their AIB Report that mechanical/maintenance issues could have been at fault. The Mishap Unit-led AIB even re-created the mishap aircraft's maintenance record, strategically using acronyms instead of names. The Mishap Unit's AIB Report notably failed to mention that the A-7D had been retro-equipped with a Star Wars-like neon green HUD cockpit windshield display as part of an extremely-advanced-for-the-time automated flight control system (AFCS). Through these two omissions, the Mishap-led AIB was then able to naturally omit any mention in the report that Major Monahan was **not to apply** visual flight rules – this was an Instrument Flight Rules **only** (IFR only) operational mission. And the flight plan required Major Monahan to rely exclusively on AFCS systems as displayed on his HUD (*e.g.*, altitude, detailed terrain mapping in real time, etc.) in deceptively unreliable visibility. The other two pilots described the day as a *zero-horizon day*: where the sky and mirrored water become visibly indistinguishable.

The Mishap Unit-led AIB also avoided discussing in their report that Major Monahan's A-7D had only recently been removed from being grounded (Red-X status), whereupon it immediately exhibited multiple, significant AFCS related instrument failures (including the rudder servo motor that controlled the tail wing, which had repeatedly been leaking hydraulic fluid, most recently "beyond limits" – despite the entire rudder servo unit having been replaced

three times). Or that the 192d TFG had never flown a single operational mission from this aircraft – Major Monahan's A-7D's first known operational mission by the 192d that day was also the aircraft's final mission.

The AFTO Form 781 Maintenance Records contained in the AIB at TAB H is not the original Form 781 – it is a re-created maintenance record meant to appear like the original AFTO Form 781. The Mishap Unit-led AIB oversaw Form 781's re-creation by pulling data from other maintenance records. And then the Mishap-Unit strategically ensured that certain, critical malfunctioning systems were innocuously described using acronyms to draw natural attention away from glaring negligence (e.g., clearing an aircraft for an IFR low altitude engagement with a failing FLR that was never repaired; zero diagnostics performed to see why the A-7D's altitude readings became dangerously inaccurate when the pilot applied the speed brake). The FLR acronym stands for forward looking radar. Buried in the AIB investigation TABS A-X, it reveals that the FLR was not repaired because "the unit lacked the test equipment [for an FLR]." The FLR was perhaps **the central most critical system** on Major Monahan's A-7D AFCS. Of note, an FLR that is fed accurate readings from the radar altimeter, should adjust both pitch and thrust to avoid surface (ground or water) collision. That the aircraft crashed that day – by itself – is *prima facie* evidence that the FLR did not perform its job. But important on an IFR flight rules only flight, the FLR displays the forward, detailed terrain mapping in real time, with altitude to the tenth of a foot. Digitally, in neon green as displayed on the HUD. The Mishap Unit-led AIB made sure that the issues regarding the unnamed, undefined, and unrepaired yet malfunctioning FLR never saw the light of day. No one even bother to ask: Where is the Mishap Unit-led AIB's evidence of "pilot-error"? Where is there evidence of omission, commission, or negligence by Major Monahan used to form the basis of the purported "pilot-error"?

II. Why the USAF's Own Directives Require this AIB to Be Re-Opened and Re-Investigated

In situations like this one, the Secretary of the Air Force (SecAF) "is authorized to **correct** any military record of the [Department of the Air Force (JDAF)] when **the** SecAF considers it necessary to correct an error or **injustice**. DAF Instruction 36-2603, Air Force Board for Correction of Military Records (AFBCMR), at 1.1 (4 October 2022); AFI 51-503, at 10.4, Reopening the Accident Investigation (e.g., authorizing the opening of an aircraft investigation based on the submission of evidence not previously considered by the Accident Board and/or

included in the Aircraft Accident Report, or for a conflict of interest)(Emphasis added); *see also*, www.correcttheinjustice.com.

Air Force Instruction (AFI) 51-503 (14 April 2015) begins by noting:

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

(Both the *bold* and *capital letter* emphasis contained in original).

Air Force directives, *inter alia*, AFI 51-503, require that a “majority of the board members must not be from the “mishap unit.” *Please see* AFI 51-503, Ch. 3, Qualifications and Composition for Board Appointment, 3.1, General Qualifications; AFI 512-503, 3.1.3. (The Convening Authority (CA) “shall not appoint any person to the accident investigation board whose participation in the investigation could actually cause or create an appearance of a conflict of interest or other perceived impropriety.”). The Air Force’s prohibition against AIBs being conflicted (51%+) - and its resulting requirement to re-open and re-investigate - is retroactively applied.

The standard of proof:

shall be the preponderance of the evidence. Preponderance of the evidence is credible evidence, which, as a whole, shows that the facts sought to be proved is more probable than not. AFI 51-503, at 8.8.3, Standard of Proof.

Additional Relevant Citations:

AFI 51-503, at 8.6, Acronyms and Abbreviations (e.g., critical acronyms like “FLR” – which were taken from other sources and drafted for inclusion in the AFTO Form 781 were not identified by name (the unit was unable to find SN 72-0233’s Form 781));

AFI 51-503, at 8.7, Summary of Facts (e.g., the facts should be explained in a non-technical manner, for ready understanding by members of the general public, which audience will not have a military or technical background. This was not done, particularly where the AFCS was and should have been the central focus of the investigation – and was never mentioned. At all); and

AFI 51-503, at 8.7.4.5. Maintenance (almost none of these requirements were met in the Accident Investigation Report).

III. Why the OIG's (DoD and/or USAF) mission of fighting fraud and abuse demand re-investigation in this situation.

For years as an Asst. U.S. Attorney, I jointly working false claims act and other financial crimes cases with OIGs. For more than eight years I have continued to do so from within the OIG legal community. I am familiar with the role of the Inspector General. The role is straightforward: fight and/or eliminate fraud, waste and abuse in the federal government. And that role directly includes fighting abuses of position, fraudulent concealment, and unethical conflicts of interest, which combine to form significant, measurable consequences. All of which regard the gross negligence of the 192d TFG and the foreseeable fatality of Major Monahan: a Top Low Altitude Bomber (LAB) fighter pilot and Flight Commander of the 192d TFG; a former USAF Flight Instructor during Vietnam; an accomplished aeronautical engineer; an accomplished Chicago large firm, litigation attorney, who had then-recently been partnered in a three-partner firm with the heads of both the Republican and Democrat parties of Richmond, Virginia.

As you are aware, the IG Act provides sufficient discretion to fight fraud, waste, and abuse, including fraudulent, wasteful, and/or abusive acts committed by federal officials. Especially where such acts fraudulently concealed liability and disgracefully defrauded a widowed, service-connected, disabled, Army Officer of, *inter alia*, hundreds of thousands of dollars (in 1982 dollars).

IV. Why *Equitable Estoppel* demands that the AIB Be Re-Opened and Re-Investigated - or an Equivalent Alternative.

In a federal district court of law, the facts of this case would demand the application of *equitable estoppel*. That is, it would be unconscionable to allow a bad actor to hide behind their wrongful acts while asserting the statute of limitations as a defense – when the SOL only expired due to their fraudulent concealment. The Mishap Unit's fraudulent concealment throughout the AIB, and in the AIB Report, financially defrauded Captain Monahan, *inter alia*, of her death payment - by 93 cents on the dollar.

As clarification to this point, by 1982, the A-7D was a well-established Vietnam-era, combat-tested aircraft. There is nothing in the Mishap-Unit's AIB – not just their AIB Report - to indicate to even a recently-retired military aircraft expert reviewing the accident record to actively search for scattered maintenance acronyms buried in TAB H of TABS A-X, which if explained, would indicate that this A-7D was actually retrofitted with a revolutionary ACFS with a Star Wars-like HUD: all part of the A-7D's AFCS.

For Major Monahan's fatal crash, the A-7D as discussed in the AIB gave every indication that it was the exact same A-7D from Vietnam. Physically and in the investigative write-ups too. The Mishap Unit's Aircraft Accident Report was so effective that even two of the world's most trusted military aviation accident expert witnesses hired by John J. Kennelly, Esq., then known to Aviation Litigators as [The Dean of Aviation Law](#), did not notice the undefined, unexplained acronyms quietly inserted into a seemingly original maintenance record – which record was *actually* a re-created maintenance record meant to appear original (the sole original maintenance record disappeared, as did any recording of the final 1-2 minutes of Major Monahan's communications that morning as previously mentioned).

As a result of his expert's initial conclusions having reviewed the Mishap Unit's AIB and their Report, Kennelly declined to accept this case. In writing. And for the above-stated reasons.

The Mishap Unit-led AIB was well aware that Major Monahan was an accomplished large firm, Chicago, aviation litigator and was partnered in a law firm in Richmond, VA. The Mishap Unit-led AIB had the Mishap Unit AIB Judge Advocate General Staff Attorney draft the AIB Report knowing that Major Monahan's Partners would have the AIB Report and file reviewed by experts.

Well-established case law in the field of *equitable estoppel* (and restitution [in equity]) states that such fraudulent concealment results in equitable estoppel's demand that the statute of limitations be tolled – at least whereas here, the surviving AIB and everything needed for proper analysis was preserved. *See Baker v. Beech Aircraft Corp.*, No. 13287, 39 Cal. App.3d 315 (May 21, 1974); *Maughn v. SW Servicing, Inc.*, No. 82-2165, 758 F.2d 1381 (Apr. 5, 1985) (where, like here, both the hardship on the plaintiff and the availability of the evidence the circumstances warrant disregarding the SOL and giving the plaintiff her day in court).

Based on the Mishap Unit-led AIB's conflict of interest and corresponding fraudulent concealment, and in light of tangible, real harm and the availability of Captain Monahan's copy of the AIB, a compelling entitlement to *equitable estoppel* has been established. The facts present in Captain Monahan's case demand the application of equitable estoppel:

- (1) **Fraudulent Concealment**: The abuse of position was so successful by the Mishap Unit-led AIB, that the world's most renowned aviation litigation attorney's two, long-time, trusted experts, failed to see *exactly what the Mishap-Unit AIB did not want seen* – that was why they did it themselves;
- (2) **Injustice**: *Inter alia*, the fraudulent concealment directly and measurably resulted in Captain Monahan being paid only 7% of the lump sum death benefit that she would otherwise have been entitled in 1982: \$35,000 in return for Major Monahan;
- (3) **Unjust Enrichment**: The unjust enrichment of the 192d TFG (with the F-22 and expansion at the new base in Norfolk, VA), the careers of Mishap Unit officers/personnel responsible for the gross negligence leading to the fatal mishap and/or for abusing their positions to cover up what actually caused the fatal mishap; and
- (4) **Fairness to the Defendant Posed by the Delay of the SOL**: All evidence relevant and sufficient to address the merit of Captain Monahan's requests is available for inspection and review by the United States (*e.g.*, the AIB, TABS A-X, including the original AIB Report; the Revised AIB Report, and more).

Under these facts, fairness and good conscience (*i.e.*, *equity*) demand that Captain Monahan get her day in court; that the fraudulent concealment perpetrated by the conflicted Mishap Unit-led AIB result in a tolling of any applicable statute of limitations. Captain Monahan's actions and diligence are such that:

this may be the very first unresolved aircraft mishap over water ever solved by the offspring of the decedent pilot.

Regardless, Captain Monahan's *equitable estoppel* claim has wings.

Additionally, please note that Black's Law Dictionary (11th ed.) states that with estoppel, "the wrong is not primarily in depriving the plaintiff of the promised reward but in causing the plaintiff to change position to his detriment." *See* BLACK'S LAW DICTIONARY 691 (11th ed.

2019), quoting Seavey, Warren A., *Reliance upon Gratuitous Promises or Other Conduct*, 64 Harv. L. Rev. 913, 926 (151).

V. Who are the Monahans?

Major Monahan was a consummate husband and father and a self-made man who worked from post-Depression, abject poverty to become: the 192d TFG's Flight Commander and Top LAB; a USAF Flight Instructor during Vietnam; an aeronautical engineer; and an accomplished lawyer who had been partnered with both the heads of both the Republican and Democrat parties in Richmond, Virginia. As his career was beginning to take off, Major Monahan's A-7D crashed.



192d Flight Commander, Major Monahan, in front of his then-F-105D fighter jet

During her service as an Officer, Captain Monahan was a spokesperson/spokesmodel for the U.S. Army as the Army pushed to diversify its Officer Corps during Vietnam.



Captain Phyllis Lehn Monahan (left), during Vietnam period, 1960s.

Captain Monahan's sister and brother also volunteered and served during Vietnam. Her father, Lt. Commander Donald Arthur Lehn, Sr., U.S. Navy, was a fighter pilot and test pilot and one of only three Navy pilots to fly more than 10,000 hours during WWII and Korea.



(Officer on Left) U.S. Naval Lt. Commander Donald Arthur Lehn. WW II, Pacific Theater.

Captain Monahan is a 100% service-connected disabled (SCD) veteran, who, as a result of her SCD, lives in a full-time care facility and is confined to a wheel chair.



(Captain Monahan and me, Western NC, Christmas holidays 2025)

I am a JD-MBA who dedicated his career to federal public service. During my nine years with the U.S. Department of Justice and directly for, and with, multiple OIGs, I've spent more than a decade directing and/or participating in, with, and/or on OIG teams that have recovered tens of millions of dollars for the U.S. taxpayer; saved U.S. taxpayers tens of thousands of attorney hours while achieving superior work product for 75 OIGs; and, early into the pandemic, issued detailed, legal guidance on religious accommodation to the 75 OIGs, which I estimate allowed hundreds (possibly more) of federal OIG officers and personnel to maintain both their federal employment and their religious convictions.

The six-page, Revised AIB Report of 13 April 2025, that I compiled was drafted as if I were the JAG Staff attorney instructed to write the revised draft for the USAF. Just with the relevant facts this time. All the hard work and analysis. Completed and ready for review.

See Revised AIB Report of 13 April 2025 (6 pgs.) at www.correcttheinjustice.com.

VI. Requested Relief

Please note that as we discuss this matter now, neither Captain Monahan, nor, I, are interested in the past; fault and blame are not our concern. And if Captain Monahan's requests are granted, our sole concern is to move forward with our lives. Captain Monahan requests that:

1. Captain Monahan's family be made whole;
2. the USAF identify to Captain Monahan any and all evidence of omission, commission, or negligence by Major Monahan used to form the basis of "pilot-error" as the cause of the crash;
3. the Secretary of the USAF formally find Major Monahan *not at fault*; and
4. an A-7D that my father flew prior to the crash be placed and dedicated at a memorial adjacent to the Bodie Island lighthouse, near where Major Monahan crashed into the Pamlico Sound, NC (OBX).

This is how the USAF can firmly and clearly send a message, internally and externally: fraud and/or abuse by USAF personnel, when established by credible evidence, will be directly addressed, and appropriate compensation, if any, awarded.

Captain Monahan has a complete copy of the original AIB in this case and will provide a copy upon request. Moreover, everything necessary to draft an impartial and unbiased AIB, may be found in 11-pages of documents (Nos. 2 and 3) found at www.correcttheinjustice.com. The sworn statement of USAF Lt. General Bradley C. Hosmer, is a statement that should demand the AIB be re-opened and re-investigated, including a full and complete review and analysis of the Revised AIB of April 13, 2025, and corresponding granting of Captain Monahan's requests. *See id.*

Closing

In closing, I would like to note that today, the 192d TFG has the distinguished honor of having been selected to fly the F-22, the world's most advanced and formidable fighter jet. Had the 192d TFG's leadership failed to compose all 100% of Major Monahan's Accident Investigation Board, something other than "pilot error" would almost surely have been found as the cause of the fatal crash. And had the 192d TFG been at-fault for two, back-to-back, non-combat, fatal aircraft mishaps in less than one year, the 192d's admirable trajectory almost surely

would have been altered. Regardless of culpability, the 192d TFG has been significantly enriched from a no-fault finding for the 192d – The base transition from Richmond to Norfolk may well have ended at closure. The designation as a TFG to fly the F-22 is the pinnacle of rewards. It is not too late for the 192d TFG to provide justice to Captain Monahan. And the effort and/or cost to do so? *de minimis*.

Captain Monahan believes in God and Country, and has every hope that Major Monahan and she will finally receive their long overdue justice. This is the chance to do the right thing; when doing so is easy. And not just easy, the right thing here could readily transform a grave negative for the 192 TFG, to a morale and recruitment promotional positive for the greater USAF and at the same time provide justice for Captain Monahan and the Monahan/Lehn families.

To address the possibility that Captain Monahan's voice continues to remain unheard, and to preserve her rights post-USAF OIG declination, I initiated the process to obtain a former military pilot and experienced aviation litigator to handle the resolution of this case, in court and the media, going forward. I am cautiously optimistic that this will not be necessary.

Thank you in advance for your prompt and serious attention to this matter. My mother and I are grateful for your dogged fight on behalf of everything good this Country is and has been, and is an important, positive record and example for all going forward. Your whistleblower unit is well respected. We trust that your unit will work to fairly and expeditiously end Captain Monahan's and my 43+ year Odyssey.

Very respectfully,

William J. Monahan
Digitally signed by
William J. Monahan
Date: 2025.09.02
19:12:44 -04'00'

William Joseph Monahan

Representative of U.S. Army Captain Phyllis Lehn Monahan (Ret'd)

GA Bar No. 801028

Attachments:

- (1) 13 April 2025 Hotline Complaint to the USAF OIG; and
- (2) 13 April 2025 Revised AIB Report, by Wm J. Monahan