



DARREN PLEASANCE
President and CEO

December 17, 2025

The Honorable Sean P. Duffy, Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Doug Burgum, Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear Secretary Duffy and Secretary Burgum,

On behalf of the Aircraft Owners and Pilots Association (AOPA), I respectfully request the assistance of the Departments of Transportation and the Interior in resolving a matter involving the wrongful confiscation of a civil aircraft following an emergency landing and the assertion of tribal jurisdiction over navigable airspace that appears inconsistent with federal law.

On October 15, 2025, a Stinson 108 airplane, registration number N8196K, experienced an engine failure while in flight. Consistent with established aviation safety procedures and federal regulations, the pilot executed an emergency landing on Minnesota state highway 89 that traverses the Red Lake Reservation in Minnesota. The landing was undertaken solely to preserve life and property and was necessitated by mechanical failure, not by choice or negligence.

Following the emergency landing, the Red Lake Nation confiscated the aircraft and has refused to permit its retrieval by the owner. The aircraft remains in tribal custody as of the date of this letter.

The Red Lake Nation has asserted jurisdiction over the aircraft and further claims authority over the airspace above the reservation, citing a May 4, 1978, tribal resolution (59-78) purporting to prohibit aircraft from flying over the reservation. This assertion raises serious concerns, as regulation of navigable airspace is a matter of exclusive federal authority and administered by the Federal Aviation Administration pursuant to 49 U.S.C. and related statutes.

Emergency landings due to mechanical failure are expressly contemplated under federal aviation law and longstanding precedent. Such landings do not constitute trespass, unlawful entry, or a waiver of federal jurisdiction.



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Moreover, a state highway—though it may traverse tribal land—remains a public right-of-way, and the emergency use of that roadway by an aircraft in distress is a permissible and lawful incident of aviation operations.

The continued detention of the aircraft not only imposes substantial financial harm on the owner but also sets a troubling precedent that could discourage pilots from making necessary emergency landings, thereby jeopardizing public safety. Additionally, the claim of unilateral tribal authority to regulate or prohibit overflight conflicts directly with the national framework governing aviation and interstate commerce.

Accordingly, I respectfully request:

1. U.S. Department of Transportation / FAA assistance in affirming federal jurisdiction over navigable airspace and emergency landings, and in supporting the prompt release and recovery of the aircraft.
2. U.S. Department of the Interior assistance in addressing the Red Lake Nation's actions through appropriate government-to-government channels and clarifying the limits of tribal authority in this context; and
3. Interagency coordination to ensure that federal aviation law and public safety interests are upheld, and that similar incidents do not recur.

This request is made with full respect for tribal sovereignty within its lawful bounds, while recognizing that aviation safety, airspace regulation, and emergency operations are matters entrusted to the federal government.

Thank you for your attention to this matter.

Respectfully,

Darren Pleasance
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