

Introduced by: Cox  
Date: 05/07/24  
Action: Adopted as Amended  
Vote: 8 Yes, 1 No, 0 Absent

**KENAI PENINSULA BOROUGH  
RESOLUTION 2024-020**

**A RESOLUTION REQUESTING THAT UNITED STATES POLICYMAKERS ALLOW  
MORE FLEXIBILITY IN MATERIAL PROCUREMENT FOR BUILD AMERICA, BUY  
AMERICA ACT INFRASTRUCTURE PROJECTS**

**WHEREAS,** the intent of the Build America, Buy America (“BABA”) Act to prioritize domestic content procurement for infrastructure projects as part of the Infrastructure Investment and Jobs Act is commendable; and

**WHEREAS,** strengthening domestic manufacturing and promoting job growth within the United States is a goal that aligns with the interests of our nation, state, and municipalities; and

**WHEREAS,** encouraging the use of American-made materials can stimulate economic activity, enhance national security, and foster a sense of pride in our capabilities as a nation; and

**WHEREAS,** while the Kenai Peninsula Borough (“KPB”) Assembly supports the underlying concept, the Assembly is concerned about the potential consequences and limitations imposed by the rigid application of BABA; and

**WHEREAS,** it is essential to recognize that in certain cases imported materials may offer greater quality, cost-effectiveness, or specialized features not readily available domestically; and

**WHEREAS,** the materials necessary to complete vital infrastructure projects may not be available from domestic suppliers in a timely manner, creating delays in project timelines, that prove especially challenging, when grant funding is involved; and

**WHEREAS,** the compliance burden of BABA is not equitable across America adding an unintended variable to the already unique construction challenges faced in Alaska; and

**WHEREAS,** imposing stringent domestic content requirements without flexibility could limit competition, stifle innovation, and hinder the ability of project managers to optimize resources and achieve the best possible outcomes for taxpayers; and

**WHEREAS,** adopting a more nuanced and flexible approach would ensure our infrastructure investments yield the greatest possible benefits for our nation;

**NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That the Assembly requests that United States policymakers allow more flexibility in material procurement for Build America, Buy America (“BABA”) Act infrastructure projects.


**SECTION 2.** That copies of this resolution be sent to United States Senator Murkowski, United States Senator Sullivan, and United States Representative Peltola.

**SECTION 3.** That copies of this resolution be sent to Governor Dunleavy and the Kenai Peninsula legislative delegation.


**SECTION 4.** That copies of this resolution also be sent to all Kenai Peninsula Borough incorporated cities.

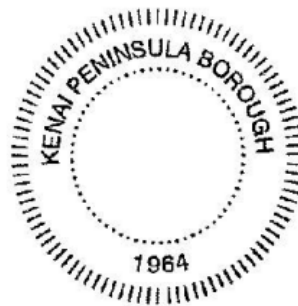
**SECTION 5.** That this resolution is effective immediately.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF MAY, 2024.**

  
Brent Johnson, Assembly President

ATTEST:

  
Michele Turner, CMC, Borough Clerk



Yes: Cooper, Ecklund, Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson

No: Cox

Absent: None