



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
ADVISORY COMMITTEE ON  
REACTOR SAFEGUARDS

# BYLAWS

## Advisory Committee on Reactor Safeguards

Approved at the 733<sup>rd</sup> ACRS Meeting

March 6, 2026

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## PREAMBLE

These Bylaws describe the foundational governing framework used by the Advisory Committee on Reactor Safeguards (ACRS) in performing its duties, and the responsibilities of the members. The functions and conduct of the Committee are described in the Atomic Energy Act (AEA) of 1954, as amended, the Federal Advisory Committee Act (FACA), and the Code of *Federal Regulations*. Further, Executive Order (EO) 14300, Section 4(b), requires ACRS personnel and functions to be reduced to the minimum necessary to fulfil its statutory obligations<sup>1</sup> and ACRS reviews of permitting and licensing issues to be focused on issues that are truly novel or noteworthy. Consistent with the AEA and EO, ACRS will concentrate on reviewing and reporting on the hazards of proposed reactor facilities and the adequacy of proposed safety standards. ACRS will perform other duties (such as providing advice on the hazards of existing facilities) when directed by the Commission.

For parliamentary matters not explicitly addressed in these Bylaws, Robert's Rules of Order Newly Revised, 12th Edition (2020) shall govern, with the Member-at-Large of the Committee Leadership serving as parliamentarian.

All the following has as its purpose fulfillment of the Committee's statutory responsibility to provide objective and independent advice to the Commission on matters that concern safety. The Bylaws are intended to make certain that the inputs to that advice are fairly and adequately obtained and considered, that the members and the affected parties have an adequate chance to be heard, and that the resulting reports represent, to the extent possible, the best of which the Committee is capable. Any ambiguities in the following should be resolved in such a way as to support these objectives. Any internal conflicts of interpretation shall be resolved by majority vote of the current membership of the Committee.

The Federal Advisory Committee Act, Atomic Energy Act, Presidential Executive Orders, U.S. Nuclear Regulatory Commission (NRC) and U.S. Government Services Administration (GSA) regulations, and the ACRS Charter are superior to these Bylaws. These Bylaws are meant to aid the operations of the ACRS and if there are any conflicts herein, the statutes, regulations, and Charter supersede these Bylaws.

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<sup>1</sup> The collective obligations contained in the AEA, FACA, and EO will be referred to as "obligations".

## **Article I: Committee Name and Structure**

Section 1: The Committee shall be the “Advisory Committee on Reactor Safeguards,” consistent with the Atomic Energy Act (AEA) of 1954, as amended.

Section 2: The purpose of the Committee is to provide objective and independent advice to the Commission on matters that concern nuclear safety, consistent with the obligations of the Committee as specified in the Atomic Energy Act of 1954, as amended.

## **Article II: Membership**

Section 1: The members of the Committee are appointed by the Commission. In accordance with Section 29 of the Atomic Energy Act, the term of an appointment to the Committee is four years. The Act does not specify a maximum number of terms.

Section 2: The process for appointing new members will follow Internal Commission Procedures, Appendix 1 ([ML17297B790](#)). This process requires the Committee to submit its selection recommendations to the screening panel and/or the Commission (or the designated selecting official) as it sees fit. In this evaluation, the Committee should consider education and experience, demonstrated skill in nuclear safety matters, the balance of expertise within the Committee in relation to the tasks that lie ahead, availability to serve, and possible conflicts of interest.

Section 3: Reappointments of members will be considered as appropriate based on the expertise needed, their contribution to the Committee, desire of the outgoing member, and professionalism displayed by the subject member. In consultation with Committee leadership, the Executive Director for the Office of ACRS will initiate the reappointment process<sup>2</sup> for members who meet the above criteria.

Section 4: Members are expected to meet the highest professional standards of competence, integrity, objectivity, and collegial respect in upholding the reputation of the Committee. Members are expected to adhere to the rules and decorum outlined in the referenced parliamentary authority.

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<sup>2</sup> In accordance with the September 26, 1996, Staff Requirements Memorandum, COMSECY-96-042, “Procedures for Reappointment of Advisory Committee Members” ([ML003755544](#), [ML24249A246](#)).

Section 5: Members are subject to all applicable federal laws including the Federal Advisory Committee Act (FACA), and NRC policies. The Members shall file required financial disclosures, complete annual ethics training, and avoid any action that would create the appearance of a conflict of interest (in accordance with Article VII of these Bylaws).

Section 6: Requests from the Congress, other agencies, or outside parties should normally be honored by referral to the Executive Director. If an individual member is asked for an opinion, the member should respond, but with emphasis on the fact that individual members do not speak for the Committee. Requests from the media require more circumspection. The guiding principle is that a member should not undermine or reinterpret a Committee position but is under no obligation to profess agreement with the Committee majority. The right to disagree does not imply the right to reinterpret.

### **Article III: Officers (Committee Leadership)**

Section 1: The Committee Leadership will be the Chairman, the Vice Chairman, and the Member-at-Large.

Section 2: The Committee Leadership shall have the responsibility to evaluate priorities in the Committee's workload, to distribute resources appropriately, and to recommend to the Committee both long-term and short-term goals and Committee practices and procedures.

Section 3: Within the first quarter of each year, the Chairman shall review Subcommittee operations in support of the Committee's work, and report to the Committee any recommendations. This review should encompass the number, responsibilities, and membership of the ACRS Subcommittees, the working groups therein, and the workload balance among the members. In this task, the Chairman shall consult as needed, the affected members, the outgoing Chairman, and the Executive Director.

Section 4: The Committee Chairman, Vice Chairman, and Member-at-Large shall be elected to serve for one year, commencing on January 1 and ending on December 31 or upon subsequent election of their successors. A current Chairman serving in a second consecutive one-year term shall be ineligible for that position. Each is subject to recall by a vote of two-thirds of the Committee members. Any motion for recall shall be made,

seconded and discussed during one meeting, and voted upon at the next Full Committee meeting.

- Section 5: The line of succession for Committee officers is Chairman, Vice Chairman, and Member-at-Large. If either of the first two is no longer available to continue to serve, those next in line will move up in the line of succession. A special election will then be held to fill the resulting vacancy, using the procedure described below.
- Section 6: The Committee Chairman, Vice Chairman, and Member-at-Large for the following year shall be elected during the last regularly scheduled Full Committee meeting of each year in an open session. The election may be conducted in person or virtually with use of suitable electronic tools, with an emphasis on maintaining the secrecy of the ballots. Members may withdraw their names from consideration for each office by written notice to the Executive Director, no later than two weeks before the scheduled election. However, when the list of members who did not withdraw is read prior to balloting, members may revise their withdrawal decision.
- Section 7: Beginning with the Chairman, each position shall be elected using a secret ballot where all members not withdrawn are considered.
- Section 8: If no candidate receives a numerical majority of the current membership on the first ballot, a second ballot shall be taken using the three candidates (or more in case of a tie) receiving the most votes on the first ballot. If needed, additional ballots shall be taken using the two candidates (or more in case of a tie) receiving the most votes on the previous ballot, until one candidate is favored by a numerical majority of the current membership. If the Committee agrees that no agreement is possible at the meeting, a Chairman shall be chosen by lot from the most recent list of candidates.
- Section 9: Absentee votes shall be accepted and applied to each respective ballot taken. If they name a member who has withdrawn or is eliminated from consideration by the foregoing procedure, they shall be discarded.
- Section 10: Following the election of the Chairman, the Vice Chairman and Member-at-Large shall be elected using the same process.

Section 11: If a special election is required under the terms of Article 3, Section 4, it shall be held at the earliest regularly scheduled Full Committee meeting following the announced need to fill the position(s). The election shall be conducted in accordance with the terms above.

#### **Article IV: Regular Committee Meetings**

Section 1: Full Committee meetings will be open to public attendance, except for those portions in which matters are to be discussed that are exempt from public disclosure under the Federal Advisory Committee Act (FACA) or other appropriate rules or statutes. The ACRS staff will prepare and the Chairman will approve a Full Committee meeting agenda that meets all requirements of FACA and publish in the *Federal Register*. A Designated Federal Officer must be present at all Full Committee meetings.

Section 2: A meeting calendar for the year shall be approved by the Committee prior to the beginning of the calendar year. Full Committee meetings are normally scheduled to occur each month except for January and August and are typically held the first week of the month, but deviations may be taken at the Committee's discretion.

Section 3: Additions or changes to the approved meeting calendar may become necessary due to scheduling conflicts, changes in NRC priorities, or for other reasons. Such changes may be scheduled on call of the Chairman or, in the Chairman's absence, the Vice Chairman, after consultation with the Committee to ensure a quorum. Also, a majority of the members of the Committee may direct the Executive Director to schedule a special meeting for the purpose of discussing a particular subject or class of related subjects.

Section 4: Responsible review of any matter brought to the Full Committee/Subcommittees requires that documentation adequate to support that review is provided to the members in a timely fashion. An urgent item requiring expedited review, that is inconsistent with this timeliness criteria due to unusual and pressing circumstances, will be placed on the agenda only if the ACRS Chairman agrees, after consultation with the cognizant Subcommittee Chairman.

Section 5: The Chairman, ACRS Executive Director, and Designated Federal Officer have both the authority and the responsibility to maintain professional

conduct; the ACRS Executive Director and Designated Federal Officer are additionally responsible for ensuring compliance with FACA requirements. They may recess, adjourn, or terminate a Full Committee or Subcommittee meeting if these meeting requirements are threatened. They may also request the removal of any person who ignores warnings and continues to address subjects not under discussion by the Committee, or who otherwise interferes with the orderly conduct of Committee business.

- Section 6: The Chairman, or in the Chairman's absence the Vice Chairman, shall preside over the meeting. The Chairman can delegate the responsibility to preside over the meeting to another member.
- Section 7: A quorum for a meeting of the Full Committee consists of a minimum of a majority of the current membership. Due to the collaborative nature of the Committee's business, it is expected that members meet in person. However, depending on circumstances, fully virtual or hybrid meetings are acceptable. Participation through remote technology by which all persons participating in the meeting can be identified and hear each other at the same time shall constitute presence at the meeting.
- Section 8: Decisions shall be made by a majority of the members present at the meeting, except that major decisions shall only be made by a majority of the current membership. Should one or more members be unavailable for compelling reasons (such as extended incapacity or recusal), the current membership shall be regarded as reduced accordingly. Any member can propose that the matter under discussion is a major decision. If there is doubt whether a decision is major, the Chairman shall rule, subject to reversal by the Committee. Such reversal shall be treated as a major decision.
- Section 9: The Committee may decide that a matter does not warrant action such as referral to a Subcommittee or generation of a letter report. If a member believes such a decision has left a safety-related concern unaddressed, they may submit their personal views to the Commission or NRC staff, clearly indicating that these views do not represent Committee advice and without using Committee resources to prepare the technical content. Should this occur, the member is expected to inform both the Chairman and Executive Director.

Section 10: The Chairman may take part in the discussion of any subject before the Committee and may vote. The Chairman should not use the power of the position to bias or otherwise limit the discussion but should use that power to keep the meeting focused and approximately on schedule. If the Chairman is a strong advocate of one side of a controversial item, the Vice Chairman should preside over that part of the meeting. Any dispute over the Chairman's level of advocacy shall be resolved by a majority vote of those members present and voting, with a tie supporting the Chairman's position.

Section 11: Committee meetings shall be documented in accordance with FACA requirements, including public availability. The ACRS staff shall prepare the 'Summary Report and Certified Minutes' which includes a factual summary report of Committee activities at any Full Committee meeting. After review and approval by the ACRS Chairman, it will be maintained by the Executive Director.

Section 12: The public shall be permitted to provide oral or written statements to the Full Committee or a Subcommittee. Oral statements should be concise and relevant to the technical topic of the meeting. Any limitations (time and/or content) on oral statements should be clearly communicated to the public prior to the meeting or, at the latest, in the opening remarks of the topical meeting. The members will consider all public statements as part of Committee deliberations but will typically not respond to them during the public comment portion of a meeting. The Chairman may allow limited dialogue for technical understanding or administrative issues.

#### **Article V: Subcommittee Meetings**

Section 1: The Committee is organized around technical Subcommittees aligned with its statutory obligations and significant safety issues if necessary (such as the Fukushima accident). The role of Subcommittees is limited to performing preparatory activities including obtaining, analyzing, and organizing information for consideration and deliberation by the Full Committee. A Subcommittee may also recommend a particular course of action to the Full Committee. Working groups may be established within the Subcommittees. Per Article VI Section 1, no Subcommittee statement, decision, or recommendation represents a Committee position.

Section 2: Changes to Subcommittee membership and tasks, and establishment/disbandment of working groups to review specific issues, are the responsibility of the ACRS Chairman. Recommendations for any

major reform of the Subcommittee structure shall be subject to Full Committee approval for adoption.

- Section 3: Working Groups should conduct themselves in the same manner as Subcommittees and membership should reflect subject matter expertise, relevant experience, or demonstrated interest in focusing on a specific topic(s).
- Section 4: Any two members of the Committee will constitute a quorum for any Subcommittee meeting. No single member shall function as a Subcommittee, although individual members may often collect information on behalf of either a Subcommittee or the Full Committee.
- Section 5: The presiding Subcommittee Chairman has the same authorities and responsibilities as the Committee Chairman for Full Committee Meetings.
- Section 6: Subcommittee meetings are exempt from FACA requirements. However, in an effort to maintain public transparency of Subcommittee activities, the ACRS will notice and conduct its Subcommittee meetings generally in accordance with the Commission's Policy on Enhancing Participation in NRC Public Meetings ([86 FR 14964](#)) and the Article IV bylaw herein on public statements. The ACRS staff will prepare the meeting agenda for Subcommittee Chairman approval and publish a notice of the meeting on the NRC public meeting notification system. A Designated Federal Officer must be present at all Subcommittee meetings.
- Section 7: A member or Subcommittee may engage with the NRC staff in a closed session (engagement) to obtain, analyze, and organize information for the consideration of the Full Committee or a Subcommittee, including discussion of matters that are predecisional. A Designated Federal Officer must be present at these engagements.
- Section 8: At the conclusion of a Subcommittee meeting, the Subcommittee Chairman, with input from the members present, will decide on a recommendation to the Full Committee regarding further consideration of the subject that was reviewed, including whether a letter report should be written. Any Subcommittee output must be deliberated upon by the Full Committee before any recommendations are forwarded to the Commission or the NRC staff.

## **Article VI: Official Committee Reports**

- Section 1: No Committee position is final until it has been formally documented in a written report and approved by the Committee. The Committee speaks only through its final letter reports.
- Section 2: ACRS letter reports shall be solely the product of Committee deliberations in a Full Committee meeting.
- Section 3: Unless matters coming under the Federal Advisory Committee Act exemptions or other appropriate rules or statutes are involved, Committee letter reports will be prepared in public session.
- Section 4: Preparation of proposed ACRS letter reports should be a function of the Subcommittee rather than solely of the cognizant Subcommittee Chairman or member. The cognizant Subcommittee Chairman or member should, if possible, distribute the proposed report and incorporate or note comments for deliberation by the Full Committee.
- Section 5: Proposed letter reports do not represent a Committee position. Their distribution shall generally be limited to ACRS members, ACRS consultants, and the ACRS staff prior to their consideration by the Full Committee in public session.
- Section 6: At the request of the Subcommittee Chairman, ACRS staff shall request the NRC staff and/or applicant/licensee to perform a proprietary review of draft letter reports. This review is strictly to identify potentially proprietary, sensitive information, and provide a fact-check. These reviews are not intended to seek feedback or input on the substance of the draft report from the NRC staff or applicant/licensee.
- Section 7: The final letter report should note any Committee member recused from participation in a matter or who, otherwise, did not participate in the deliberations.
- Section 8: If any member voting on the final letter report has a dissenting or differing view of the conclusions of the report, the member should make a good-faith effort in persuading the Committee to consider the dissenting view and incorporate additional information in the report. If that is unsuccessful and the member wishes to append additional comments to the report, the

member should provide those written comments to the ACRS staff by Wednesday following the Full Committee meeting. The ACRS staff will distribute the additional comments to the members for their endorsement consideration and will append the additional comments, with any such endorsements, to the report.

Section 9: Reports and recommendations of the Committee shall be transmitted to the Commission or Executive Director for Operations, as appropriate, and shall be made available to the public unless restricted by law.

## **Article VII: Conflicts of Interests**

Section 1: It is each member's responsibility to be aware of potential conflicts of interest and appropriately recuse themselves from any deliberations or final committee report on the subject matter. They are also responsible to proactively identify to the ACRS staff that a conflict or potential conflict of interest exists prior to the subject meeting discussion.

Section 2: Members will use the conflict-of-interest standards as expressed in the annual Ethics training performed by the Office of the General Counsel (OGC) and/or further guidance provided by an agency Ethics Specialist.

Section 3: Should there be any question regarding a potential conflict, Members should consult with Committee leadership, the cognizant Designated Federal Officer, or an OGC Ethics Specialist. Confirmation should be obtained from an OGC Ethics Specialist if the matter is unclear.

Section 4: Members cannot participate in the Committee's review of their own work that was completed independent of their ACRS duties.

Section 5: During presentation or discussions at the Subcommittee/Working Group/Full Committee meetings, the member who has a conflict with the matter being considered:

- Can ask questions to obtain clarifications or factual information.
- Can provide information to correct misinterpretations of facts by other members, or technical insights which may help the members better understand the issues under consideration.
- Should not engage in discussions which may be perceived by a reasonable person to be a criticism or endorsement of the appropriateness of the scope, direction, or quality of the work, or the adequacy of the methods or processes used to perform the

work on the matter in which the member has a conflict of interest.

Section 6: During preparation of ACRS reports, the member who has a conflict with the particular matter being considered:

- Should not participate in the Committee's deliberations other than providing clarifications, technical insights, or factual information to other members.
- Should not express opinions that would influence the Committee's position on the matter.
- Should not provide input to the Committee report that relates to the matter.
- Should not try to influence the Committee directly or indirectly or suggest changes to the reports that reflect the member's views on the matter.
- Should not make, participate, or vote on the "motions" to make changes to the reports on the matter.
- Should not participate in the voting process for approving the report

Section 7: Based on the specific facts, the ACRS Chairman can grant a member a written waiver from these restrictions after consulting with the Office of the General Counsel.

Section 8: The NRC Chairman can grant the ACRS Chairman a written waiver from these restrictions.

## **Article VIII Consultants**

Section 1: The Committee will occasionally find it necessary to augment its expertise with respect to specific disciplines. It will therefore maintain a list of available consultants, and will call upon them as needed, most often at the Subcommittee level. Every consultant performing work for the Committee will be under contract that details the consultant's responsibilities.

Section 2: In accordance with NRC Management Directive 10.6, the ACRS Executive Director or designee must approve in writing the appointment or renewal of appointment for all consultants.

Section 3: The members should be selective and specific in assigning tasks to a particular consultant, with the normal expectation of a written report, as appropriate. The members should not ask a consultant to perform any tasks or attend a meeting without approval of the ACRS Executive Director.

Section 4: Consultants are expected to adhere to these ACRS Bylaws and the same expectations as for conduct of members, including conflict of interest policies.

## **Article IX Committee Staff**

- Section 1: The ACRS staff shall consist of an Executive Director and those technical and administrative personnel necessary to effectively support the Committee's activities. The Executive Director is responsible for management of the staff and delegating authority in the Committee's day-to-day operations, and for ensuring Committee operations remain consistent with agency guidelines and FACA requirements. The Executive Director or their delegate will serve as the Designated Federal Officer for all Full Committee or Subcommittee meetings.
- Section 2: All ACRS meetings and agendas must be approved by the Committee's Designated Federal Officer. The ACRS may not hold any meeting or engagement in the absence of a Designated Federal Officer.
- Section 3: The Executive Director and Designated Federal Officer ensure that technical topics undertaken by the Committee and the discussions at meetings or engagements are focused on issues that are within scope of the Atomic Energy Act and other relevant laws, executive directives, and Commission guidance.

## **Article X Amendments**

- Section 1: Any proposed amendment to these Bylaws will be reviewed for agency acceptability by the Executive Director who will then distribute the proposed amendment to the members and schedule it for discussion at the next regular Full Committee meeting. A vote on the proposed amendment may be held at that meeting if substantive changes do not result from the meeting discussion. Whether or not a change is substantive (relative to agency acceptability) will be determined by the Executive Director.
- Section 2: A vote of two-thirds of the current ACRS membership shall be required to approve an amendment.
- Section 3: The Committee Leadership shall review these Bylaws and recommend necessary changes to the Committee at least every 5 years or when warranted by significant changes to operations.