

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 2, 7, and 10

[NRC-2025-1139]

RIN 3150-AL46

**NRC Modernization: Rulemaking Procedure, Federal Advisory Committee Act
Alignment, Access, and Security**

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations by streamlining procedural provisions related to information withholding and post-promulgation comment periods; aligning the NRC's regulations with Committee Management Secretariat (CMS) Federal Advisory Committee Act (FACA) standards; and updating national security eligibility criteria. The goal is to modernize and clarify the NRC's regulatory framework to ensure consistency with government-wide standards and improve administrative efficiency. The scope includes updates to outdated provisions and revisions to ensure compliance with current federal policies. This action is being undertaken in response to Executive Order 14300, "Ordering the Reform of the Nuclear Regulatory Commission."

DATES: Comments must be submitted electronically using <https://www.regulations.gov> by 11:59 p.m. eastern time on **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Submit your comments, identified by Docket ID NRC-2025-1139, at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, call or email the individual listed in the FOR FURTHER INFORMATION CONTACT section of this document for alternate instructions.

Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments are public records; they are publicly displayed exactly as received, and will not be deleted, modified, or redacted. Comments may be submitted anonymously.

Follow the search instructions on <https://www.regulations.gov> to view public comments.

You can read a plain language description of this proposed rule at <https://www.regulations.gov/docket/NRC-2025-1139>. For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the SUPPLEMENTARY INFORMATION section of this document.

FOR FURTHER INFORMATION CONTACT: Denise Edwards, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-7204, email: denise.edwards@nrc.gov.

SUPPLEMENTARY INFORMATION:

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I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2025-1139 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-1139.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin ADAMS Public Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr.resource@nrc.gov. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the "Availability of Documents" section of this document.

- **NRC's PDR:** The NRC Public Document Room (PDR), where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

B. Submitting Comments

Comments must be submitted electronically using <https://www.regulations.gov> by 11:59 p.m. eastern time on **[INSERT DATE 30 AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**. Please include Docket ID **NRC-2025-1139** in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Executive Order 14300: Ordering the Reform of the Nuclear Regulatory Commission

On May 23, 2025, President Donald J. Trump signed Executive Order (E.O.) 14300, “Ordering the Reform of the Nuclear Regulatory Commission.” This rulemaking addresses Section 5, “Reforming and Modernizing the NRC’s Regulations,” which requires the NRC to undertake a review and wholesale revision of its regulations and guidance documents, consistent with the policies set forth in section 2 of the E.O.

III. Rulemaking Procedure

Because the NRC considers this action to be non-controversial, the NRC is

publishing this proposed rule concurrently with a direct final rule in the Rules and Regulations section of this issue of the *Federal Register*. The direct final rule will become effective on **[INSERT DATE 75 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**. However, if the NRC receives significant adverse comments by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**, then the NRC will publish a document that withdraws the direct final rule. If the direct final rule is withdrawn, the NRC will address the comments in a subsequent final rule. Absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate a second comment period on this action in the event the direct final rule is withdrawn.

A significant adverse comment is one in which the commenter explains why the rule would be inappropriate, challenges the rule's underlying premise or approach, or argues that the rule would be ineffective or unacceptable without a change. A comment is adverse and significant if:

(1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, a substantive response is required when:

(a) The comment causes the NRC to reevaluate (or reconsider) its position or conduct additional analysis;

(b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or

(c) The comment raises a relevant issue that was not previously addressed or considered by the NRC.

(2) The comment proposes a change or an addition to the rule, and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

(3) The comment causes the NRC to make a change (other than editorial) to the rule.

For procedural information and the regulatory analysis, see the direct final rule published in the Rules and Regulations section of this issue of the *Federal Register*.

IV. Background

The U.S. Nuclear Regulatory Commission (NRC) is undertaking a series of regulatory updates to modernize its administrative framework, align with government-wide requirements, and ensure continued compliance with evolving federal standards related to transparency, advisory committee governance, information management, and personnel security. These are consistent with the directive in E.O. 14300, “Ordering the Reform of the Nuclear Regulatory Commission,” which requires the NRC to conduct a comprehensive review of its regulations.

First, the NRC is updating its information withholding provisions in 10 CFR 2.390 to clarify the Commission’s procedures for evaluating requests for withholding proprietary and sensitive information from public disclosure. The revisions to 10 CFR 2.390 align with a recent modification made to that regulation to alleviate the need for licensees or applicants filing a withholding request to include information regarding competitive harm (90 FR 54225; November 26, 2025). The revisions in this rule maintain the NRC’s longstanding policy balance between protecting sensitive commercial or financial information and ensuring transparency in agency decision making. The changes are administrative in nature and are intended to improve clarity and consistency in how information is reviewed and processed.

Second, the NRC is revising a provision in 10 CFR 2.804 that established procedural requirements related to post-promulgation comment periods. This provision is not statutorily required and thus imposes unnecessary administrative burdens.

Revision of this provision provides additional flexibility to rulemaking processes.

Third, the NRC is revising 10 CFR part 7 to align its advisory committee regulations with the government-wide Federal Advisory Committee Act (FACA) requirements administered by the General Services Administration (GSA). On December 16, 2026, GSA issued a final rule (90 FR 58408) modernizing FACA regulations by updating definitions, improving reporting requirements, and incorporating contemporary practices for advisory committee operations and technology. To ensure consistency with these standards and continued compliance with FACA, the NRC is making conforming amendments throughout 10 CFR part 7. These revisions update terminology, clarify procedural expectations, and consolidate administrative requirements to reflect GSA's current regulatory framework. The amendments do not impose substantive requirements on NRC licensees or external stakeholders; instead, they improve the efficiency, transparency, and accountability of NRC advisory committee management.

Finally, the NRC is revising its personnel security regulations in 10 CFR part 10 to reflect Federal adjudicative standards established in the Office of the Director of National Intelligence's Security Executive Agent Directive 4 (SEAD 4). SEAD 4 sets forth uniform adjudicative guidelines for determining eligibility for access to classified information and sensitive national security positions across the executive branch. The NRC previously incorporated SEAD 4 into Management Directive 12.3, "Personnel Security," and is now codifying these requirements to ensure alignment between internal policy and regulatory text. This codification enhances transparency and promotes consistent expectations for individuals requiring an access authorization or employment clearance.

Collectively, the actions in this rulemaking modernize NRC regulations, improve alignment with federal policies, and enhance administrative efficiency while maintaining transparency, public participation, and national security protections consistent with the

NRC's statutory responsibilities.

V. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111-274) requires Federal agencies to write documents in a clear, concise, and well-organized manner. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, "Plain Language in Government Writing," published June 10, 1998 (63 FR 31883). The NRC requests comment on this proposed rule with respect to clarity and effectiveness of the language used.

VI. Paperwork Reduction Act

This proposed rule does not contain any new or amended collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.) and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995.

VII. Executive Orders

The following are Executive orders that are related to this proposed rule:

A. Executive Order 12866: Regulatory Planning and Review (as amended by Executive Order 14215, Ensuring Accountability for All Agencies)

The Office of Information and Regulatory Affairs (OIRA) has determined that this proposed rule is not a significant regulatory action.

B. Executive Order 14154: Unleashing American Energy

The NRC has examined this proposed rule and has determined that it is consistent with the policies and directives outlined in E.O. 14154.

C. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is determined to be a deregulatory action as defined by E.O. 14192. Details on the estimated costs of this proposed rule can be found in Section VI, “Regulatory Analysis,” of the direct final rule document.

D. Executive Order 14270: Zero-Based Regulatory Budgeting to Unleash American Energy

E.O. 14270 requires the NRC to insert a conditional sunset date into all new or amended NRC regulations provided the regulations are (1) promulgated under the Atomic Energy Act of 1954, as amended (AEA), the Energy Reorganization Act of 1974, as amended (ERA), or the Nuclear Waste Policy Act of 1982, as amended (NWPAA); (2) not statutorily required; and (3) not part of the NRC’s permitting regime. The NRC determined that the regulatory changes proposed in this rule are for processes that are required by statute and are part of the NRC’s regulatory permitting scheme authorized by the AEA, ERA, or NWPAA. Therefore, the NRC views this rulemaking to be outside the scope of E.O. 14270 and did not insert conditional sunset dates for the regulatory changes in this proposed rule.

E. Executive Order 14300: Ordering the Reform of the Nuclear Regulatory Commission

The NRC has examined this direct final rule and has determined that it is consistent with the policies and directives outlined in E.O. 14300.

VIII. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

DOCUMENT	ADAMS ACCESSION NO. / FEDERAL REGISTER CITATION
NRC Management Directive 12.3, “Personnel Security,” July 18, 2022	ML22136A179

DNI Security Executive Agent Directive 4, "National Security Adjudicative Guidelines," June 8, 2017	https://www.dni.gov/files/NCSC/documents/Regulations/SEAD-4-Adjudicative-Guidelines-U.pdf
GSA Final Rule, "Federal Management Regulation; Aligning the Federal Management Regulation (FMR) With the Administration's Deregulatory Priorities," December 16, 2025	90 FR 58408
NRC Final Rule, "Streamlining Select Rules of Practice and Procedure," November 26, 2025	90 FR 54225
NRC Final Rule, "Exceptions to Notice and Comment Rulemaking Procedures," April 2, 1985	50 FR 13006
Executive Order 12866, "Regulatory Planning and Review," October 4, 1993	58 FR 51735
Executive Order 14154, "Unleashing American Energy," January 29, 2025	90 FR 8353
Executive Order 14192, "Unleashing Prosperity Through Deregulation," February 6, 2025	90 FR 9065
Executive Order 14215, "Ensuring Accountability for All Agencies," February 24, 2025	90 FR 10447
Executive Order 14300, "Ordering the Reform of the Nuclear Regulatory Commission," May 29, 2025	90 FR 22587
Presidential Memorandum, "Plain Language in Government Writing," June 10, 1998	63 FR 31885

The NRC may post materials related to this document, including public comments, on the Federal Rulemaking website at <https://www.regulations.gov> under Docket ID NRC-2025-1139.

Dated: <Month XX, 20XX>.

For the Nuclear Regulatory Commission.

Jody Martin,
Secretary of the Commission.