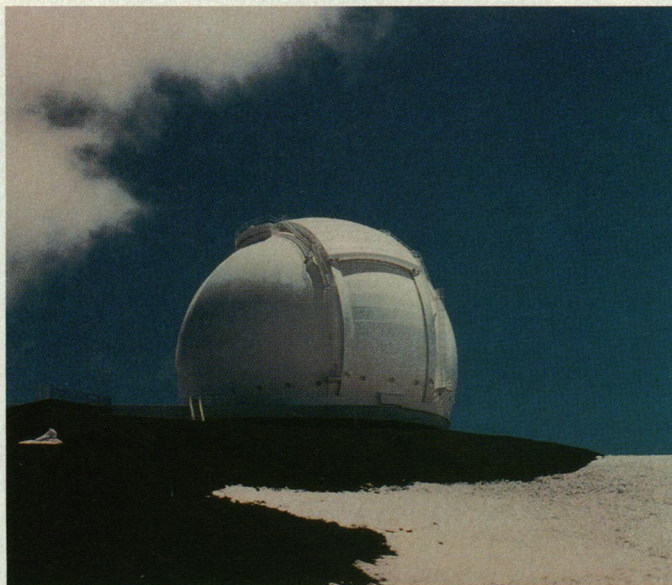


Keck 2 May See the Light

■ Astronomers have long dreamed of building a twin to the world's largest optical telescope—the 10-meter Keck Telescope atop Hawaii's Mauna Kea—and now it looks as if that dream could become a reality. The Keck Foundation and California astronomers have enlisted NASA as a partner to help build and pay for one-third of the second telescope—which, in conjunction with the first, could produce ultra-high-resolution images using a technique known as optical interferometry.

In a letter to the Keck Foundation late last year, NASA expressed its intent to contribute about \$40 million toward Keck 2, perhaps as early as fiscal year 1993. In exchange for the agency's donation, NASA-funded astronomers would get about one-sixth of the viewing time on the two telescopes. There are still a few caveats. For one thing, the Keck Foundation, the California Institute of Technology, and the University



The soon-to-be-completed Keck 1 telescope on Mauna Kea.

of California, who split the cost of Keck 1, must provide the remaining \$80 million needed to build Keck 2. NASA also must be convinced that the radical segmented mirror design used on Keck 1 really works.

But NASA astronomer Jurgen Rahe is optimistic. The first measurements coming

from Keck 1 are "excellent," he says, adding that he is "personally convinced" NASA will come up with the money. So is a spokesperson for the California Association for Research in Astronomy, which coordinates the science on Keck 1. Next stop? The Office of Management and Budget—and then Congress.

California Association for Research in Astronomy

A Noble Settlement

■ The Massachusetts Institute of Technology will soon have to open its files on one of the most contentious tenure fights in the university's history, and, in addition, will take a long, hard look at the overall fairness of its tenure procedures.

MIT agreed to these conditions last week when it settled a bitter, 5-year legal battle with David Noble, a historian of technology who in 1984 was denied tenure in the university's Science, Technology, and Society Program. Noble, in return, dropped his demands for reinstatement with full tenure and \$1.5 million in damages.

Both sides are claiming victory. Noble, now a tenured professor at Drexel University, says he's happy that the records in his case will be made public, since he claims they will show he was denied tenure on po-



David Noble

Rodison Geary

litical grounds—in particular, for his vocal criticisms of MIT's corporate links. Noble is also pleased that MIT will be forced to undertake a formal review of its tenure procedures, especially the absence of any appeal process. Meanwhile, MIT is delighted that it has settled the suit without reinstating Noble, paying damages, incurring the cost of a trial, or creating a legal precedent.

Stanford Feud with Auditor Could Lead to Criminal Investigation

■ Stanford's indirect cost imbroglio has escalated to new heights, with the university now facing not only accusations of poor judgment, but a possible criminal investigation.

A simmering feud between the university and government auditors erupted recently when investigators with the Defense Contract Audit Agency (DCAA) asked Stanford's operations and maintenance office for some energy cost records and were told the request had to be cleared by the controller's office. For the DCAA, which has chafed at university rules limiting the free access to records and employees to which the agency says it is entitled, this action was the last straw.

"These denial, delay, and demand tactics must cease at once," fumed DCAA branch manager Joseph Riden in a 28

February letter to Stanford president Donald Kennedy. Four days later he warned Kennedy in another letter that it is a crime to obstruct federal audits. "[S]hould you not rectify the impediments DCAA is experiencing, and take action to assure they do not reoccur, I plan to bring this matter to the

attention of the Department of Justice for their determination as to whether to open a criminal investigation."

Stanford spokesman Rich Kurovsky denies that the university is engaged in delay tactics; he says Stanford wants to make sure the data it gives DCAA are current, accurate, and complete.

■ A seemingly innocuous—some would say, overdue—revision of the definition of scientific misconduct proposed by the National Science Foundation has research universities worried. In addition to "fabrication, falsification, plagiarism, or other serious deviation from accepted practices," NSF is planning to classify "retaliation of any kind" against good faith whistleblowers as a form of misconduct.

Philip Sunshine, an attorney in the office of NSF's inspector general, says the proposed revision is "technical in nature," since such retaliation has always implicitly been considered misconduct. He adds that congressional interest in

whistleblower protection has encouraged NSF to state this fact explicitly.

University officials, however, who spoke privately because their institutions had not formulated official positions on the matter, contend the proposed definition is a "sloppy legal formulation" with potentially dangerous unintended consequences—particularly because such retaliation can be difficult to identify. University of Chicago law professor Richard Epstein, for instance, argues that such a guideline can confer "perfect immunity from adverse actions" on individuals who make "strategic" charges of misconduct.