

of 18 U.S.C. §1153 could be effected through three changes: provision of a federal definition of rape, as proposed in S. 1400, §1631; reference to that definition in 18 U.S.C. §1153, thus avoiding reference to a state definition that may remain sex discriminatory; substitution of the word "person" for the current reference to "female".

Title 18 sections concerning prostitution include: 18 U.S.C. §1952(b) (forbidding the use of interstate commerce with intent to distribute the proceeds of any unlawful activity, includes prostitution as defined under state law or the law of the United States); 18 U.S.C. §1384 (prohibiting prostitution and the related activities of solicitation, procuring, setting up a house of ill fame, or using vehicles or buildings for prostitution near a military base); and 18 U.S.C. §§ 2421-24 (the Mann Act, prohibiting travel and transportation of women in interstate or foreign commerce for prostitution, debauchery, or other immoral purposes).

These prostitution proscriptions are subject to several constitutional and policy objections. Prostitution, as a consensual act between adults, is arguably within the zone of privacy protected by recent constitutional decisions. See Griswold v. Connecticut, 381 U.S. 479(1965); Eisenstadt v. Baird, 405 U.S. 438(1972); Roe v. Wade, 410 U.S. 113(1973). Not arguable is the sex discrimination evident on the face and in application of current anti-prostitution provisions. Sex-neutralizing the statutory language is unlikely to effect significant substantive change,

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The Mann Act also calls for registration of information about a recently entered alien woman or girl engaged in the business of prostitution; the registrant is then shielded from use of the information in a criminal prosecution.