

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,

^{*}

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.