

General Convention of The Episcopal Church 2022 Archives' Research Report

Resolution No.: 2022-D049
Title: Recognizing the Need for Adequate Surrogacy Protections
Proposer: Ms. Laura Russell
Topic: Family

Directly Related: (Attached)

1988-D006 On the Topic of Assisted Parenting (Rejected)
1985-A089 On the Topic of Surrogate Parenting (Rejected)
1982-A066 On the Topic of Surrogate Maternal Parenthood (Rejected)
1982-A068 On the Topic of Surrogate Paternal Parenthood (Rejected)

Indirectly Related: (Available in the [Acts of Convention](#) database, searchable by resolution number)

None

In preparing this report, the Archives researched the resolutions in the Acts of Convention database for the period 1973 through 2018, selecting “direct” resolutions that have a substantive bearing on the proposed legislation. The “direct” resolutions are attached and “indirect” resolutions are available in the Acts of Convention database. Committee members who require other research assistance should contact the Archives through the [Research Request Form](#) or call 800-525-9329.

D049 - Recognizing the Need for Adequate Surrogacy Protections

Final Status: Not Yet Finalized

Proposed by: Ms. Laura Russell

Endorsed by: Ms. Sarah Lawton, Mr. Joe McDaniel

Requests New Interim Body: No

Amends C&C or Rules of Order: No

Has Budget Implications: No

Cost:

HiA: HB

Legislative Committee Currently Assigned: 07 - Social Justice & International Policy

Completion Status: Incomplete

Latest House Action: N/A

Supporting Documents: No

Resolution Text

Resolved, the House of _____ concurring,

That the 80th General Convention of The Episcopal Church recognize surrogacy as a complex issue, for parents-to-be, surrogates, and for the industry that enables this practice, both in the United States and globally, acknowledging the potential exploitation of surrogates, and with particular attention to the well-being of all parties, but particularly the most vulnerable; and be it further

Resolved, that the 80th General Convention of The Episcopal Church recognize the increasing prevalence of surrogacy, in the United States and internationally, and call for robust laws and protections for surrogates and parents-to-be as well as moral discernment for all involved; and be it further

Resolved that the 80th General Convention of The Episcopal Church recognize the challenges that come from economic inequality that necessitate decisions that may not be in the best interest in terms of the physical, mental, emotional and spiritual well-being of surrogates, while also honoring the challenges of many individuals and couples who face infertility and other challenges in creating a family of all parties involved; and be it further

Resolved, that the 80th General Convention of The Episcopal Church support public policies that understand the importance of the surrogate relationship as more than a financial transaction; that protect the surrogate from the emotional, physical and financial exploitation that can occur; and that attend to the surrogate's emotional, physical, and

spiritual needs both during and after pregnancy, including in the vulnerable post-partum period, when many women and others who give birth suffer mental and physical effects.

Explanation

Surrogacy is an arrangement in which a woman agrees to carry a baby for an intended parent or parents. In traditional surrogacy, the woman provides her own eggs and therefore shares a genetic link to the resulting baby. In gestational surrogacy, the woman -- in this case, a "gestational carrier" -- carries a baby created from the egg and sperm of the intended parents, or from other donors, but does not have any genetic link to the child.

Surrogacy, surrogacy contracts and surrogate relationships are complicated. Laws vary by state and country, and with the varying laws come varying protections. Some states do not even allow surrogacy contracts. Surrogacy has now become global, and with this global business comes additional dynamics. Some women will turn to surrogacy because they have no other mechanism to support themselves. Some will become surrogates to help friends or family. Women may come from all over the globe, which also brings issues of the availability of aftercare.

There are many reasons a woman may agree to become a surrogate, but the reality is that every woman who does needs to have legal protections. Parents-to-be also need legal protections. No one should be exploited in this process, which can be ripe for exploitation. Protections are also needed for the children who are conceived. Parentage needs to be established.

The Episcopal Church needs to speak on these issues, to ensure that all those involved are treated fairly and with respect.



Resolution Number: 1988-D006
Title: On the Topic of Assisted Parenting
Legislative Action Taken: Rejected
Text of Resolution:

Resolved, the House of Bishops concurring, That this 69th General Convention commend medical researchers and practitioners, ethicists and theologians, lawyers, counselors, clergy, and all men and women who study with care the spiritual and moral dilemmas of surrogate parenthood; and be it further

Resolved, That this General Convention advise all members of our Church who are considering such parenthood to consult informed clergy or other counselors in its spiritual as well as psychological dimension; and be it further

Resolved, That this General Convention encourage full study and discussion in the dioceses which we here represent of the spiritual and moral issues of surrogate parenting.



Resolution Number: 1985-A089
Title: On the Topic of Surrogate Parenting
Legislative Action Taken: Rejected
Text of Resolution:

Resolved, the House of Bishops concurring, That the 68th General Convention, acting in the light of the Church's long-standing opposition to the selling of human sexual services, expresses its opposition to surrogate parenting for hire.



Resolution Number: 1982-A066
Title: On the Topic of Surrogate Maternal Parenthood
Legislative Action Taken: Rejected
Text of Resolution:

Whereas, a new and controversial practice has come into use for providing children to an otherwise childless marriage, in which the male partner's sperm is used to impregnate a willing female who undertakes contractually to deliver her child at birth to the childless couple; and,

Whereas, such a practice is exploitative of the natural mother and attaches undue and even self-worshiping importance to the sperm of the donor male; therefore be it

Resolved, the House of Bishops concurring, That the 67th General Convention of the Episcopal Church strongly condemns the practice of so-called female surrogate parenting.



Resolution Number: 1982-A068
Title: On the Topic of Surrogate Paternal Parenthood
Legislative Action Taken: Rejected
Text of Resolution:

Whereas, human semen is now widely available in the United States through a variety of commercial arrangements; and

Whereas, pregnancy using such genetic material is now procurable inside and outside of marriage without ethical scruple and with minimal supervision-medical, governmental or otherwise; and

Whereas, the exploitation of reproductive material for financial gain tends to diminish the sense of sanctity of human life; therefore be it

Resolved, the House of Bishops concurring, That this 67th General Convention of the Episcopal Church holds that human semen should not be bought and sold for reproductive use.