

Case 9: Anonymity in Gamete Donation

Helena Peterson, Ph.D., is the director of the Northeast Regional Cryobank (NEC), which provides donor gametes—sperm and eggs—for a fee to those needing gametes to reproduce, e.g. single individuals, couples with fertility difficulties, or same-sex couples. Though there is relatively little regulation of the market in sperm and eggs in the U.S., NEC prides itself on upholding strict ethical standards, with concern for donors, families created through donation, and donor-conceived children and adults. One emerging issue of ethical concern for NEC has to do with donor anonymity. In anonymous donation the donor's identifying information, e.g. name, birthdate, and contact information, is treated as confidential; thus, the child conceived from the donation is never permitted to find out who their donor is. Traditionally all cryobanks provided only anonymous donation, but in the past decade and a half or so, some bioethicists and adult donor-conceived offspring have called for policy changes, advocating for donor-conceived people's right to know who their donor is at age 18, upon request. This is called open identity donation.

Those favoring open identity donation and opposing anonymous donation argue that each person has “a right to know” one's genetic origins. This knowledge would include: the donor's identity; biographical information about the donor's life and reasons for donating; genetic and health-related information; and current contact information to facilitate the offspring's pursuing a personal relationship with the donor if desired. In favor of this position one can point to empirical research indicating that some donor-conceived offspring deeply desire this information and experience emotional struggles if they are unable to receive it. Some bioethicists further suggest that all humans need to “know where one comes from” in order to develop a secure sense of self, and thus all people should have the option to know and have relationships with their genetic parents.

Many cryobanks, including NEC, began offering open identity donation in the past few decades along with traditional anonymous donation. But some nations and banks have gone further. A few countries have legally prohibited anonymous gamete donation entirely (though the U.S. is not one of them) and at least one U.S. cryobank has voluntarily decided to discontinue anonymous donation in favor of open identity donation.

NEC's board of directors have recommended to Helena—who has the authority to make a final decision—that NEC follow in those footsteps and begin offering only open identity donation.

Helena understands the concerns raised in favor of abandoning fully anonymous donation, but she is hesitant to do so. She is aware after working personally with hundreds of donors as well as many individuals and couples pursuing sperm and egg donation to have a child, that both donors and parents-to-be sometimes strongly prefer donor anonymity. In addition, many donors might not be willing to provide gametes for others in the future if their identities will not be kept confidential; this could lead to a shortage of sperm and eggs, impeding some individuals and couples from using donor gametes to become parents. Moreover, not all donor-conceived people advocate for open identity donation; some have no interest in knowing anything about their donor and report no negative consequences in not knowing more about their origins. Bioethicists also disagree about the moral importance of biological relationships, with some denying that there is any “right to know” one’s genetic origins and others suggesting that placing too much importance on genetics is ethically mistaken.

Study Questions:

1. Should Helena decide for the NEC to continue offering anonymous donation?
2. Is it important to have relationships with genetic relatives?
3. Does knowing where we come from require knowing who our genetic parents are?
4. Whatever Helena decides, some parties will be negatively affected. If she elects to continue offering anonymous donation, then donor-conceived offspring who want to know who their donor is will feel they have been denied important information. On the other hand, if she elects to stop offering anonymous donation, then the NEC might not get enough donations to serve their clientele. How should Helena weigh the desires of donor-conceived offspring versus that of donors and parents?