

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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<https://oversight.house.gov>

April 15, 2025

Ms. Anne Wojcicki
Board Member
23andMe, Inc.
223 N. Mathilda Ave
Sunnyvale, CA 94086

Dear Ms. Wojcicki:

The Committee on Oversight and Government Reform has a long history of investigating data privacy and the security risks posed by malign foreign actors. The bankruptcy filing of 23andMe, Inc. (23andMe)—a direct-to-consumer genetic testing company in possession of personal genetic data of millions of Americans—raises significant concerns regarding potential transfers of customers’ and family members’ sensitive personal data to various interested entities, including the Chinese Communist Party (CCP).¹ To ensure the safety of Americans’ data, we request documents and information from you and your testimony at a hearing on May 6, 2025.

With more than 15 million customers,² 23andMe asks its users to provide “a saliva sample for analysis, usually to learn details about their ancestry, family traits, and potential health risks.”³ In 2015, 23andMe received \$115 million in funding from investors, including WuXi Healthcare Ventures⁴—which was then a corporate venture arm of WuXi AppTec (formerly WuXi PharmaTech),⁵ a company with ties to the CCP and Chinese People’s Liberation Army.⁶ At the time, “the investment value[d] 23andMe at \$1.1 billion.”⁷ Since then, 23andMe reportedly lost significant revenue “attributed to fewer test kits being ordered.”⁸ Notably, “[t]hat came after a data breach in 2023, in which hackers appeared to target Jewish and Chinese

¹ Kevin Williams, *23andMe bankruptcy: With America’s DNA put on sale, market panic gets a new twist*, CNBC (updated Mar. 30, 2025).

² *Id.*

³ Yan Zhuang, *23andMe Files for Bankruptcy Amid Concerns About Security of Customers’ Genetic Data*, THE NY TIMES (Mar. 24, 2025).

⁴ Press Release, 23andMe, 23andMe Raises \$115 Million in Series E Financing Led by Fidelity Management & Research Company (Oct. 14, 2015).

⁵ *WuXi Healthcare Ventures Overview*, PITCH BOOK (last visited Apr. 1, 2025), available at <https://pitchbook.com/profiles/investor/112796-56>.

⁶ Press Release, Bill Hagerty, U.S. Senator for Tennessee, Hagerty, Peters, Gallagher, Krishnamoorthi, Call on Biden Admin to Investigate Chinese Biotech Company WuXi AppTec (Feb. 12, 2024).

⁷ Matthew Herper, *23andMe Wins A Second Life: New Business Plan Scores \$115 Million From Investors*, FORBES (Oct. 14, 2015).

⁸ Zhuang, *supra* note 3.

customers and gained access to personal information from nearly seven million profiles.”⁹ The *New York Times* reported that “China and other countries are trying to dominate these technologies, and are using both legal and illegal means to acquire American know how,” warning of the CCP’s “track record of misusing genetic data,” and pointing out that it has been reported that “China uses genetic tests to track members of the Uyghurs, a predominantly Muslim minority group.”¹⁰

Potential harm for consumers from the transfer of genetic data amid the bankruptcy of 23andMe does not come solely from hostile foreign actors. Disclosure of individuals’ genetic data could also be analyzed and used for assessing higher insurance premiums, restrictions on credit extensions by financial institutions, and targeted advertising based on predisposition to specific medical conditions.¹¹ Mr. Ensar Seker, Chief Information Security Officer for data security and intelligence platform SOCRadar, noted of genetic data controlled by 23&Me, “[t]his isn’t just a typical data set; it includes deeply sensitive, immutable biological data that can be tied to individuals and their families for generations.”¹² Mr. Seker further noted, “[u]nlike a password or credit card number, you can’t change your DNA.”¹³

The intricacies of the bankruptcy process for 23&Me underscore risk for consumers. Ms. Margaret Hu, professor of law and director of the Digital Democracy Lab at William & Mary Law School cautioned, “[w]hen you’re in bankruptcy, data privacy values are not what you’re really thinking about. You’re thinking about selling your company to the highest bidder.”¹⁴ According to Professor Hu, “[t]hat highest bidder . . . might take the genetic data and consumer profile data and link them together when selling it to others.”¹⁵ Further, “that initial sale which includes the DNA of millions of people may only be the first of many transactions.”¹⁶ Professor Hu warned that “[i]t might sell it off, piece by piece, indiscriminately. And the buyer of that data might be a foreign adversary . . . That is why this is not just a data privacy disaster. It’s also a national security disaster.”¹⁷

National security concerns about 23andMe and similar companies are not new. In December 2019, the U.S. Department of Defense advised “members of the military not to use consumer DNA kits, saying the information collected by private companies could pose a security

⁹ *Id.*; see also Julian E. Barnes, *U.S. Warns of Efforts by China to Collect Genetic Data*, THE NY TIMES (Oct. 22, 2021). (The *New York Times* has reported that “WuXi has a less than 1 percent investment in 23andMe and has never received any customer data, Jacquie Cooke Haggarty, the company’s deputy general counsel, said in a statement. No data has ever been shared with a Chinese-owned company and no investor has access to the data, she said.”).

¹⁰ Barnes, *supra* note 9.

¹¹ Andrew R. Chow, *Why 23andMe’s genetic data could be a ‘Gold Mine’ for AI companies*, TIME (Mar. 25, 2025).

¹² Dave Muoio, *23andMe bankruptcy sparks genetic data privacy concerns for it 15M customers*, FIERCE HEALTHCARE, (Mar. 25, 2025).

¹³ *Id.*

¹⁴ Williams, *supra* note 1.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

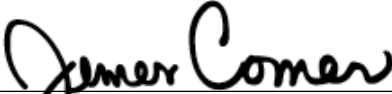
risk.”¹⁸ A memorandum issued by then-Under Secretary of Defense for Intelligence Joseph D. Kernan noted that such consumer DNA kits “poses personal and operational risks to Service members” in addition to concerns that “outside parties are exploiting the use of genetic data for questionable purposes, including mass surveillance and the ability to track individuals without their authorization or awareness.”¹⁹

To assist the Committee in understanding the steps 23andMe is taking to ensure Americans’ genetic data is safeguarded from malign foreign actors and other potential harms, the Committee requests the following documents and information:

1. All documents and communications in your personal possession or control relating to 23andMe’s bankruptcy filing; and
2. All documents and communications in your personal possession or control addressing 23andMe’s sale, potential sale, transfer, or potential transfer of users’ data and genetic information.

The Committee on Oversight and Government Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. To arrange for the delivery of documents and confirm your testimony, please contact the Committee on Oversight and Government Reform Majority staff at (202) 225-5074. Thank you for your attention to this important matter.

Sincerely,


James Comer
Chairman

cc: The Honorable Gerald Connolly, Ranking Member
Committee on Oversight and Government Reform

¹⁸ Jenna McLaughlin and Zach Dorfman, *Exclusive: Pentagon warns military members DNA kits pose ‘personal and operational risks’*, YAHOO!NEWS (Dec. 23, 2019).

¹⁹ *Id.*; see also Memorandum from Joseph D. Kernan, Under Secretary of Defense for Intelligence and James N. Stewart, Assistant Secretary of Defense for Manpower and Reserve Affairs, Performing the Duties of the Under Secretary of Defense for Personnel and Readiness, *Direct-to-Consumer Genetic Testing Advisory for Military Members* (Dec. 20, 2019).