

THE BIDEN INVESTIGATION

After 15 months of “investigating” and 58 hours of interviews with 14 witnesses, Oversight Republicans’ investigation came up with nothing.

DEMOCRATIC STAFF MEMORANDUM

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES

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[OVERSIGHTDEMOCRATS.HOUSE.GOV](https://oversightdemocrats.house.gov)

This memorandum presents the findings of House Oversight Committee Republicans' investigation into President Joe Biden's alleged "cognitive decline," as reviewed by the Democratic staff of the Committee on Oversight and Government Reform (Committee).¹ Following more than a year of inquiry, extensive witness interviews, and significant time and effort expended by both Republican and Democratic staff, the Oversight Majority has failed to produce any evidence to support their allegations against President Biden.

After the Oversight Committee Republicans' impeachment inquiry collapsed in the 118th Congress without uncovering any evidence of wrongdoing by President Biden, the Majority shifted focus to a new, sinister conspiracy against President Biden—allegations that he was mentally unfit for office. Specifically, in July 2024, Republicans on the Oversight Committee launched a partisan investigation alleging that President Biden was suffering from a "declining cognitive state," and eventually claimed that his use of the presidential autopen constituted "the biggest political scandal in modern history."² In this respect, Republicans alleged that President Biden's staff worked in conspiracy to cover up President Biden's alleged deficiencies and employed the autopen without the President's knowledge to order executive action and implement a "shadow government."³ At the beginning of the 119th Congress, ignoring the fact that Joe Biden was no longer president or holding elected office, Committee Republicans chose to continue their conspiracy-laden investigation into President Biden's mental fitness while previously in office.⁴

Fifteen months after the beginning of the investigation, however, the reality of the claims made by Republicans has proven as empty as their "evidence."

Over the course of the Republicans' investigation, 14 former White House officials and aides provided nearly 60 hours of testimony. Their consistent, firsthand accounts uniformly contradict Republican claims and portray President Biden as fully engaged and capable throughout his presidency. Moreover, the autopen "scandal" manufactured by Chairman Comer and House

¹ Committee on Oversight and Government Reform, Republicans, *Press Release: Chairman Comer Demands Testimony from Biden's Doctor, Former White House Aides on Cover-Up of Mental Decline* (May 22, 2025) (online at <https://oversight.house.gov/release/chairman-comer-demands-testimony-from-bidens-doctor-former-white-house-aides-on-cover-up-of-mental-decline/>).

² Committee on Oversight and Accountability, Republicans, *Press Release: Comer Subpoenas White House Aides Running Interference for President Biden Amid Cognitive Decline* (July 10, 2024) (online at <https://oversight.house.gov/release/comer-subpoenas-white-house-aides-running-interference-for-president-biden-amid-cognitive-decline/>); Committee on Oversight and Government Reform, Republicans, *The Biden Autopen Scandal: Who Was Really Running the White House?* (online at <https://oversight.house.gov/landing/the-biden-autopen-scandal/>) (accessed Oct. 9, 2025).

³ *James Comer: 'Is There a Shadow Government in Effect' Amid Biden's Health Concerns?*, Fox News (July 11, 2024) (online at www.foxnews.com/video/6357659031112).

⁴ Committee on Oversight and Government Reform, Republicans, *Press Release: Chairman Comer Demands Testimony from Biden's Doctor, Former White House Aides on Cover-Up of Mental Decline* (May 22, 2025) (online at <https://oversight.house.gov/release/chairman-comer-demands-testimony-from-bidens-doctor-former-white-house-aides-on-cover-up-of-mental-decline/>).

Republicans proved to be nothing more than a feeble attempt to attack the legitimacy of President Biden’s policies—a pretext to invalidate executive actions by President Biden, including valid pardons issued pursuant to his constitutional authority. After extensive witness interviews and numerous media appearances, the Majority has produced no credible evidence to substantiate his assertions, demonstrating once again his preference for partisanship over genuine oversight.

The only person’s health Republicans seem to care about is Joe Biden’s. While they cut health care for millions of Americans, they are obsessed with relitigating the past instead of holding Donald Trump accountable or working to lower costs for families.

Rather than addressing pressing national challenges or pursuing meaningful oversight, Chairman Comer and Oversight Republicans have devoted their efforts to unfounded political investigations. In contrast, Oversight Democrats remain committed to forward-looking, substantive work—conducting credible oversight, protecting democratic institutions, and ensuring that government serves the American people.



- I. President Joe Biden was at all times fully fit to execute the duties of the presidency and Republican claims of his “mental decline” have been summarily debunked
 - Senior White House advisors and aides repeatedly discredited the Committee Republicans’ false claims and testified that they did not witness President Biden suffer from cognitive decline during his time in the White House.
 - o Ronald Klain, chief of staff to President Biden from 2021 to 2023, testified that “President Biden was fit to exercise the powers of office for the entirety of his presidency, and that he was the decisionmaker during his presidency” throughout his term in office.⁵

⁵ Committee on Oversight and Government Reform, Transcribed Interview of Ronald Klain, Former White House Chief of Staff (July 24, 2025).

- o Jeffrey Zients, the second chief of staff to President Biden, who served from 2023 to 2025, testified that it was “absolutely” his experience that President Biden was fully able to execute the duties of the president of the United States.⁶
- o Karine Jean-Pierre, White House press secretary from 2022 to 2025, who interacted with President Biden daily while she held the role, testified that she had no knowledge of President Biden being mentally unable to execute the duties of his office, at any time.⁷
- o Anita Dunn, senior advisor to President Biden in 2021 and again from 2022 to 2024, testified to the Committee that she had no concerns that President Biden was suffering from cognitive decline during his presidency, and that in her experience, President Biden made all of the important decisions expected of someone serving as the president of the United States.⁸
- o Bruce Reed, deputy chief of staff to President Biden for the entirety of the Biden presidency, testified that his observations that the “President was dogged, inquisitive, determined, making tough decisions from day one till the last day.”⁹
- o Michael Donilon, senior advisor to President Biden from 2021 to 2025 and chief strategist to President Biden’s 2020 and 2024 campaigns, and Ashley Williams, special assistant to President Biden from 2021 to 2023 and deputy assistant to President Biden from 2023 to 2025, each testified that they never had concerns that President Biden was unable to fully execute the duties of the presidency.¹⁰
- o Steve Richetti, counselor to President Biden for his entire presidency, testified that he fully believed that at all times “President Biden was fully

⁶ Committee on Oversight and Government Reform, Transcribed Interview of Jeffrey Zients, Former White House Chief of Staff (Sept. 18, 2025).

⁷ Committee on Oversight and Government Reform, Transcribed Interview of Karine Jean-Pierre, Former White House Press Secretary (Sept. 12, 2025).

⁸ Committee on Oversight and Government Reform, Transcribed Interview of Anita Dunn, Former Senior Advisor to President Biden for Communications (Aug. 7, 2025).

⁹ Committee on Oversight and Government Reform, Transcribed Interview of Bruce Reed, Former White House Deputy Chief of Staff for Policy (Aug. 5, 2025).

¹⁰ Committee on Oversight and Government Reform, Transcribed Interview of Michael Donilon, Former Senior Advisor to President Biden (July 31, 2025); Committee on Oversight and Government Reform, Transcribed Interview of Ashley Williams, Former Deputy Assistant to the President and Director of Strategic Outreach (July 11, 2025).

capable of exercising his presidential duties and responsibilities.”¹¹

- Contrary to the farcical claims levied by Republicans, senior White House officials testified that President Biden managed complex policy discussions and frequently tested aides on the scope of their knowledge.
 - o Bruce Reed testified that President Biden “embraced complex policy issues and approached decisions with diligence and deliberation.” Mr. Reed further stated that President Biden “routinely grilled staff members on a topic until he reached the limits of our knowledge so he could judge whether to have confidence in our advice,” and Mr. Reed “had no concerns about the President’s mental acuity[.]”¹²
 - o Jeffrey Zients testified that public allegations that President Biden was struggling with his mental acuity are “completely inaccurate” and he never held concerns about President Biden’s ability to manage significant policy matters.¹³
 - o Neera Tanden, White House staff secretary from 2021 to 2023, explained that she “handled complicated policy issues with the President, very complicated issues around Medicare policy, Medicaid policy, very difficult to comprehend for many senior advisors, and [President Biden] handled those very well.”¹⁴
 - o Ronald Klain testified that, during his tenure as the President’s chief of staff, every day he observed as President Biden “reviewed difficult issues and made decisions that reflected a sharp mind and an ability to make very effective decisions as President.”¹⁵
 - Mr. Klain testified that he was present for many of the high-stakes decisions President Biden made at the beginning of his term, including the budget negotiations between President Biden and then-Republican House Minority Leader Kevin McCarthy. He testified that President Biden and Mr. McCarthy “had a spirited

¹¹ Committee on Oversight and Government Reform, Transcribed Interview of Steve Ricchetti, Former Counselor to President Biden (July 30, 2025).

¹² Committee on Oversight and Government Reform, Transcribed Interview of Bruce Reed, Former White House Deputy Chief of Staff for Policy (Aug. 5, 2025).

¹³ Committee on Oversight and Government Reform, Transcribed Interview of Jeffrey Zients, Former White House Chief of Staff (Sept. 18, 2025).

¹⁴ Committee on Oversight and Government Reform, Transcribed Interview of Neera Tanden, Former Domestic Policy Council Director (June 24, 2025).

¹⁵ Committee on Oversight and Government Reform, Transcribed Interview of Ronald Klain, Former White House Chief of Staff (July 24, 2025).

exchange on a number of issues,” and noted that in a negotiation between President Biden and Leader McCarthy after the midterms in 2022, Leader “McCarthy did not walk out and say, ‘Oh, I found the President to be mentally deficient.’ So, if there was some kind of coverup, apparently Kevin McCarthy was in on the coverup.”¹⁶

- Mr. Klain also recalled a negotiation between President Biden and then-Senator Joe Manchin in which President Biden negotiated “so effectively that after the second negotiation Senator Manchin said he would not negotiate with the President again because the President had taken advantage of him in negotiations and had been able to get Senator Manchin to agree to things he didn’t want to agree to.” He asserted “that sounds like someone who’s very sharp and on the top of their game, when you can get your negotiating partner to agree to things and the negotiating partner said, ‘No more, I can’t do this anymore.’”¹⁷
- o Anita Dunn described how “President Biden was engaged on the substance, editing press statements,” and was an “active participant in the preparation of his speeches and public statements.” Ms. Dunn told the Committee that President Biden’s “ability to probe, to find a weakness in an argument, and to make well-informed decisions did not change during [her] time in the White House.”¹⁸
- Ms. Dunn further testified that “The President was fully engaged and clear in his direction, whether it was on policy, whether it was on press, whether it was politically, whatever the issue was. He was engaged in details to a great extent, sometimes details I didn’t think a President needed to be involved in, but he was very involved and clear with us what he wanted to say, where he wanted to go, what he wanted to do.”¹⁹
- Chairman Comer and Republicans have frequently cited the June 2024 presidential debate as a demonstration of President Biden’s alleged declining mental ability and proof of a collective cover-up of President Biden’s condition. Senior White House officials, however, expressed their belief that President Biden’s performance was an anomaly and held no reservations about the President’s mental acuity before or after the debate. In fact, counter to claims of a cover-up,

¹⁶ Committee on Oversight and Government Reform, Transcribed Interview of Ronald Klain, Former White House Chief of Staff (July 24, 2025).

¹⁷ *Id.*

¹⁸ Committee on Oversight and Government Reform, Transcribed Interview of Anita Dunn, Former Senior Advisor to President Biden for Communications (Aug. 7, 2025).

¹⁹ *Id.*

senior officials testified that they *encouraged* President Biden to appear before the American public and debate Donald Trump earlier in the campaign cycle than historically has occurred.

- o Ronald Klain testified that he advised President Biden’s reelection campaign to seek an early debate, reflecting “the fact that I believe the President was mentally sharp, because I would not have recommended that he debate President Trump in a voluntary debate earlier than any presidential debate in modern history if I didn’t think he was going to do well in that debate.”²⁰
- o Michael Donilon rebuked Committee Republicans’ “notion that you’re trying to hide a President and then willingly put him on stage in front of 20, 30, 40 million people in the summer, that doesn’t add up to me, to say that that reflects a concern or a desire to keep him hidden.” Mr. Donilon testified that “the fact that the debate took place is a statement, at least from my perspective, that we wanted people to see Joe Biden. We did not want to hide him.”²¹
- o Neera Tanden testified that she never had any concerns about President Biden’s cognitive abilities at any point during his administration, and his performance at the 2024 debate did not change her view on his cognitive abilities.²²
- o Anita Dunn testified that during her time at the White House, she observed “him make hard decisions” and “do some incredibly difficult things.” Ms. Dunn had no concerns about President Biden’s cognitive abilities and her opinion remained unchanged after the debate.²³

²⁰ Committee on Oversight and Government Reform, Transcribed Interview of Ronald Klain, Former White House Chief of Staff (July 24, 2025)

²¹ Committee on Oversight and Government Reform, Transcribed Interview of Michael Donilon, Former Senior Advisor to President Biden (July 31, 2025).

²² Committee on Oversight and Government Reform, Transcribed Interview of Neera Tanden, Former Domestic Policy Council Director (June 24, 2025).

²³ Committee on Oversight and Government Reform, Transcribed Interview of Anita Dunn, Former Senior Advisor to President Biden for Communications (Aug. 7, 2025).

II. President Biden authorized every executive action taken by the White House and the autopen was employed consistent with the law and past practice

- In addition to the outright false claims regarding President Biden’s mental acuity, Committee Republicans have repeatedly asserted that White House staff carried out a nefarious conspiracy wherein “decisions were made on [President Biden’s] behalf using the autopen.”²⁴ Not to be outdone, President Trump has obsessed about the false narrative concerning the autopen, stating that “Everything was signed by autopen — almost everything,” and that “THE BIDEN AUTOPEN SCANDAL IS BIG, NOT AS BIG AS THE RUSSIA, RUSSIA, RUSSIA HOAX, OR THE RIGGED 2020 PRESIDENTIAL ELECTION, BUT, NEVERTHELESS, ONE OF THE BIGGEST, EVER!!!.”²⁵
- In reality, witnesses testified that all forms of clemency, including pardons, were issued with President Biden’s knowledge or authorization, and not a single witness could corroborate Republican claims that the autopen was used to issue an executive order, presidential memorandum, or any form of clemency without President Biden’s knowledge or authorization.
 - Jeffrey Zients testified to the “rigor and the amount of iterations, the amount of time the President spent on pardons,” and how decisions regarding pardons were made after “many, many meetings.”²⁶
 - Bruce Reed testified that the decision-making process in the Biden White House was “like the two prior administrations in which [Mr. Reed] served, where the staff secretary was responsible for ensuring that the President’s decisions were documented, memorialized, and executed.”²⁷
 - In a July 2025 interview with the *New York Times*, President Biden himself confirmed that he “made every single one” of the clemency decisions that were signed with the autopen.²⁸

²⁴ Committee on Oversight and Government Reform, Republicans, *The Biden Autopen Scandal: Who Was Really Running the White House?* (online at <https://oversight.house.gov/landing/the-biden-autopen-scandal/>) (accessed Oct. 9, 2025).

²⁵ U.S. Mission to the North Atlantic Treaty Organization, *President Trump Meeting with NATO Secretary General Mark Rutte* (Mar. 13, 2025) (online at <https://nato.usmission.gov/remarks-by-president-trumpand-nato-secretary-general-mark-ruttebefore-bilateral-meeting/>); Donald J. Trump (@realDonaldTrump), Truth Social (Sep. 8, 2025) (online at <https://truthsocial.com/@realDonaldTrump/posts/115168717159863645>).

²⁶ Committee on Oversight and Government Reform, Transcribed Interview of Jeffrey Zients, Former White House Chief of Staff (Sept. 18, 2025).

²⁷ *Id.*

²⁸ *Excerpts From The Times’s Interview With Biden on Clemency Decisions*, New York Times (July 13,

Biden Says He Made the Clemency Decisions That Were Recorded With Autopen July 13, 2025

Mr. Biden said that he had orally granted all the pardons and commutations issued at the end of his term.

“I made every decision,” Mr. Biden said in a phone interview.

- The use of the presidential autopen is certainly not novel, and its use by past administrations is well-documented.²⁹
 - Harry Truman is said to be the first president to use the modern autopen, and Lyndon B. Johnson was the first to publicize its use in the White House, in 1968.³⁰
 - For nearly 100 years, the Department of Justice (DOJ) has held the view that pardons and other official decisions do not need to be personally signed by the president.³¹
 - In 2005, the Office of Legal Counsel in the DOJ issued an opinion stating that the autopen is a constitutional and acceptable means to carry out executive action, especially in the context of signing legislation. The opinion states that “the President need not personally perform the physical act of affixing his signature to a bill he approves and decides to sign in order for the bill to become law. Rather, the President may sign a bill within the meaning of Article I, Section 7 by directing a subordinate to affix the President’s signature to such a bill, for example by autopen.”³²

2025) (online at www.nytimes.com/2025/07/13/us/politics/biden-clemency-interview.html).

²⁹ *The Autopen: How the Robotic Pen Has Changed Presidential History*, Shapell Manuscript Foundation (Mar. 12, 2025) (online at www.shapell.org/behind-the-scenes/the-robot-pen/).

³⁰ *There Is a Robot in Washington That Signs the President’s Name*, Washington Post (July 28, 2025) (online at www.washingtonpost.com/style/power/2025/07/28/there-is-robot-washington-that-signs-presidents-name/).

³¹ Memorandum for Alberto R. Gonzalez, Counsel to the President, from M. Edward Wheelan III, Department of Justice (Nov. 22, 2002) (online at www.justice.gov/olc/page/file/936271/dl?inline); See *How an Autopen Conspiracy Theory About Biden Went Viral*, New York Times (Mar. 22, 2025) (online at www.nytimes.com/2025/03/22/business/media/autopen-biden-trump-conspiracy-theory.html); Memorandum for the Attorney General from the Office of the Solicitor General, Department of Justice (Mar. 27, 1929) (online at <https://s3.documentcloud.org/documents/3258398/Wheat-Notaries.pdf>).

³² Memorandum Opinion for the Counsel to the President: Whether the President May Sign a Bill by Di-

- Notably, in a practice for which he has repeatedly criticized President Biden, Chairman Comer himself has issued documents without physically signing them and, instead, has deployed a mechanism to artificially execute official documents.³³
- During this investigation, Chairman Comer also criticized President Biden for providing clemency to approximately 1,500 people serving long prison sentences for non-violent drug offenses, irrationally arguing that President Biden did not grant clemency to each separate individual, thus rendering them invalid because “the president himself has to know who he’s pardoning.”³⁴
 - However, Committee Republicans seemingly have no issue with President Trump’s categorical pardon of the over 1,500 individuals convicted of offenses related to the January 6, 2021, attack on the United States Capitol. In fact, President Trump explicitly admitted that evaluating individual cases for clemency would be “very, very cumbersome,” and instead chose to issue a categorical pardon to the insurrectionists, some of whom had previously been convicted of rape, child sex abuse, manslaughter, and drug trafficking.³⁵
 - Republicans have similarly turned a blind eye to President Trump’s controversial proclamation invoking the Alien Enemies Act, despite President Trump’s clear statements that “I don’t know when it was signed, because I didn’t sign it,” and “other people handled it.”³⁶

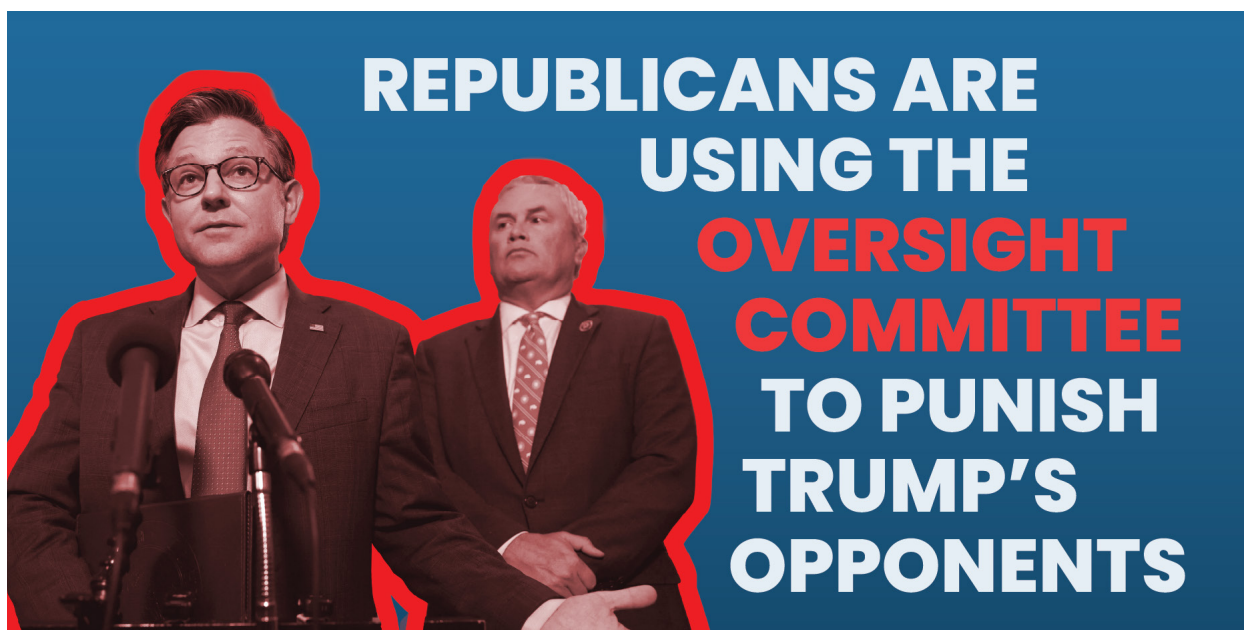
recting That His Signature Be Affixed to It, Department of Justice (July 7, 2005) (online at <https://www.justice.gov/file/494411/dl?inline>).

³³ *Lead Investigator into Biden’s Use of an Autopen Signed Letters with a Digital Signature*, NBC (July 15, 2025) (online at www.nbcnews.com/politics/congress/lead-investigator-james-comer-biden-autopen-digital-signature-rcna216719).

³⁴ *Biden Commutes Sentences for 1,500 People. Some Say He Could Do a Lot More*, NPR (Dec. 12, 2024) (online at www.npr.org/2024/12/12/nx-s1-5226683/biden-commutations-pardons); Rep. James Comer (@RepJamesComer), X (July 28, 2025) (online at <https://x.com/RepJamesComer/status/1949841845673992586>).

³⁵ *President Donald Trump Explains Pardoning January 6 Defendants*, Fox News (Jan. 22, 2025) (online at www.foxnews.com/video/6367536545112); *Criminal Records of Jan. 6 Rioters Pardoned by Trump Include Rape, Domestic Violence*, National Public Radio (Jan. 30, 2025) (online at www.npr.org/2025/01/30/nx-s1-5276336/donald-trump-jan-6-rape-assault-pardons-rioters).

³⁶ Executive Office of the President, *Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren de Aragua*, 90 Fed. Reg. 13033 (Mar. 14, 2025); *Trump Said He Didn’t Sign the Alien Enemies Act Proclamation. So Who—or What—Did?*, Washington Post (Mar. 22, 2025) (online at www.washingtonpost.com/politics/2025/03/22/trump-deportations-autopen/).



III. Oversight Republicans are Complicit in Carrying Out President Trump's Agenda of Punishing Political Enemies and are Ignoring President Trump's Alarming Deficiencies

- As Committee Republicans' politically motivated investigation of President Biden progressed, it became readily apparent that they launched and conducted this investigation in close collaboration with and at the behest of President Trump and the Trump Administration. This investigation is plainly part of Republican efforts to assist President Trump in overturning President Biden's pardons and executive actions of which he disapproves. In addition, this investigation aims to assist President Trump in prosecuting the President's political enemies, as he has done with James Comey, former director of the Federal Bureau of Investigation, and Letitia James, New York attorney general.³⁷
 - On May 20, 2025, President Trump dispatched a senseless post on Truth Social, claiming "It was the people that knew [President Biden] was cognitively impaired, and that took over the Autopen. They stole the Presidency of the United States, and put us in Great Danger. This is TREASON at the Highest Level!" President Trump further threatened "Something very severe should happen to these Treasonous Thugs that wanted to destroy our Country, but couldn't, because I came along."³⁸

³⁷ See *'We Can't Delay Any Longer': Trump Urges Bondi to Prosecute His Rivals*, Politico (Sept. 20, 2025) (online at www.politico.com/news/2025/09/20/trump-bondi-truth-social-00574380?nid=0000014f-1646-d88f-a1cf-5f46b4500000&nname=florida-playbook&nrid=00000169-5aa6-d2c3-ab79-faceb63a0000).

³⁸ Donald Trump (@realDonaldTrump), Truth Social (May 20, 2025) (online at <https://truthsocial.com/@realDonaldTrump/114541915757167539>).

- On May 22, 2025, immediately following President Trump’s tirade on social media, Oversight Republicans publicly issued a batch of interview requests in this investigation to multiple former officials who served President Biden during his presidency.³⁹
 - On June 4, 2025, President Trump issued a memorandum directing the Counsel to the President, the Attorney General, “and the head of any other relevant agency” to investigate President Biden’s mental state and the authorities he exercised while president.⁴⁰
 - That very same day, Oversight Republicans announced an expansion of this investigation and demanded several senior White House officials appear for transcribed interviews, ludicrously claiming the “cover-up of President Biden’s mental decline is one of the greatest scandals in our nation’s history.”⁴¹
- Since returning to office, President Trump has established a clear pattern of weaponizing the federal government against his perceived political enemies.
 - On September 20, 2025, for example, President Trump posted on Truth Social a message to Attorney General Pam Bondi urging her to take action against James Comey, Letitia James, and other political foes, noting “‘They’re all guilty as hell, but nothing is going to be done,’” and “We can’t delay any longer, it’s killing our reputation and credibility. They impeached me twice, and indicted me (5 times!), OVER NOTHING. JUSTICE MUST BE SERVED, NOW!!!”⁴²

³⁹ Letter from Chairman James Comer, Committee on Oversight and Government Reform, to Dr. Kevin O’Connor, Former Physician to the President (May 22, 2025) (online at <https://oversight.house.gov/wp-content/uploads/2025/05/05-22-2025-Letter-to-Dr.-OConnor.pdf>); Letter from Chairman James Comer, Committee on Oversight and Government Reform, to Neera Tanden, Former Domestic Policy Council Director (May 22, 2025) (online at <https://oversight.house.gov/wp-content/uploads/2025/05/05-22-2025-Letter-to-Tanden.pdf>); Letter from Chairman James Comer, Committee on Oversight and Government Reform, to Anthony Bernal, Former Assistant to the President and Chief of Staff to the First Lady (May 22, 2025) (online at <https://oversight.house.gov/wp-content/uploads/2025/05/05-22-2025-Letter-to-Bernal.pdf>); Letter from Chairman James Comer, Committee on Oversight and Government Reform, to Annie Tomasini, Former Assistant to the President and Deputy Chief of Staff (May 22, 2025) (online at <https://oversight.house.gov/wp-content/uploads/2025/05/05-22-2025-Letter-to-Tomasini.pdf>).

⁴⁰ Memorandum for the Attorney General from the Counsel to the President: Reviewing Certain Presidential Actions, The White House (June 4, 2025) (online at www.whitehouse.gov/presidential-actions/2025/06/reviewing-certain-presidential-actions/).

⁴¹ Committee on Oversight and Government Reform, Republicans, *Press Release: Chairman Comer Expands Investigation into Biden Mental Decline Cover-Up* (June 4, 2025) (online at <https://oversight.house.gov/release/chairman-comer-expands-investigation-into-biden-mental-decline-cover-up/>).

⁴² *Inside the Justice Department Where the President Calls the Shots*, Wall Street Journal (Oct. 8, 2025) (online at www.wsj.com/politics/policy/trump-doj-inside-political-enemies-17f13f72?gaa_at=cafs&gaa_n=AS-WzDAifTBoVZJnZBEcc5F2iHyEmSzjH5Pm9QkV90XzzVkEz0_4Un-WWruka&gaa_ts=68e7dfb1&gaa_sig=b-CXQUINPXhYQtOicOni8AwNAmphUegfr8Z3DFyraCl1d7QN8s9r_cHMJrgZs11VYSbgycw4sytVOG-

- On September 25, 2025—five days after President Trump’s message to Attorney General Bondi—the DOJ indicted James Comey on federal charges, including one count of making a false statement and one count of obstruction of a congressional proceeding in connection with his testimony before a Senate committee in September 2020.⁴³
- On October 9, 2025, the DOJ indicted Letitia James for allegations of making false statements to a financial institution and bank fraud.⁴⁴
- Despite the White House’s ongoing investigation of President Biden and his staff, President Trump’s demonstrated history of political prosecutions, and the clear collaboration between House Republicans and President Trump in this investigation, Oversight Republicans took issue with three White House officials who chose to invoke their Fifth Amendment right to protection from being compelled to provide testimony that could be used to convict them of a crime.⁴⁵ Immediately following their appearance before the Committee, Oversight Republicans chose to publicize video footage on social media of the White House officials invoking their constitutional rights, misleadingly claiming the officials were engaged in “stonewalling,” “evasiveness,” and a “refusal to tell the truth.”⁴⁶ The invocation of their constitutional right is in no way an admission of wrongdoing; rather, their choice reflects an understanding of the significant risk of political retribution from President Trump.
- During interviews with witnesses, Republicans frequently raised verbal missteps, awkward speech patterns, and occasional stumbles by President Biden as revealing signs of mental decline. It is unclear, however, why Republicans have refused

7VoSEFTqg%3D%3D); Donald J. Trump (@realDonaldTrump), Truth Social (Sept. 20, 2025) (online at <https://truthsocial.com/@realDonaldTrump/posts/115239044548033727>).

⁴³ *Inside the Trump Administration’s Push to Prosecute James Comey*, New York Times (Sept. 27, 2025) (online at www.nytimes.com/2025/09/27/us/politics/trump-comey-justice-department.html).

⁴⁴ *Justice Department Indicts Letitia James After Pressure from Trump*, NPR (Oct. 9, 2025) (online at www.npr.org/2025/10/09/nx-sl-5569792/letitia-james-indictment-trump).

⁴⁵ See Committee on Oversight and Government Reform, Deposition of Dr. Kevin O’Connor, Former Physician to the President (July 9, 2025); Committee on Oversight and Government Reform, Deposition of Anthony Bernal, Former Assistant to the President and Chief of Staff to the First Lady (July 16, 2025); Committee on Oversight and Government Reform, Deposition of Annie Tomasini, Former Assistant to the President and Deputy Chief of Staff (July 18, 2025).

⁴⁶ Committee on Oversight and Government Reform, Republicans, *The Biden Autopen Scandal: Who Was Really Running the White House?* (online at <https://oversight.house.gov/landing/the-biden-autopen-scandal/>) (accessed Oct. 9, 2025).

to apply similar scrutiny to Donald Trump, who has mixed up names, forgotten his own political appointments, taken credit for ending a war that never happened, and falsely claimed that he warned authorities about Osama Bin Laden a year before the September 11th terrorist attacks.⁴⁷

- Finally, this partisan investigation was merely an opportunity to haul former White House officials before the Committee to draw media attention to the Chairman. Witnesses faced a wide range of questions from Oversight Republicans, entirely unrelated to President Biden's health or decision-making, including questions related to the Biden family's business dealings and the failed impeachment inquiry,⁴⁸ the various rooms and layout of the White House,⁴⁹ and the status of and details about President Biden's pets.⁵⁰

In light of the Majority's repeated misrepresentations regarding President Biden's tenure, Democratic staff will continue to keep Members informed on the status of these investigations to ensure transparency and accountability in the Committee's work.

⁴⁷ *Trump Floats Firing the Federal Reserve Chair As White House Criticism Boils*, NPR (July 16, 2025) (online at www.npr.org/2025/07/16/nx-s1-5469967/trump-federal-reserve-jerome-powell); *Trump Confuses Haley and Pelosi, Accusing Rival of Jan. 6 Lapse*, New York Times (Jan. 19, 2024) (online at www.nytimes.com/2024/01/19/us/politics/trump-haley-pelosi-jan-6.html); *Trump Falsely Claims to Have Ended War Between Cambodia and Armenia*, The Independent (Sept. 22, 2025) (online at www.the-independent.com/bulletin/news/trump-war-armenia-cambodia-b2831670.html); *Fact Check: Trump Falsely Claims, Again, That His Pre-9/11 Book Warned About Osama Bin Laden*, CNN (Oct. 6, 2025) (online at www.cnn.com/2025/10/06/politics/fact-check-trump-false-bin-laden-claim).

⁴⁸ During the Committee's interview of Ian Sams, Chairman Comer posed numerous irrelevant questions to Mr. Sams, such as whether he was hired to be a "bulldog" for the White House, if he looked at the "evidence" Committee Republicans gathered for the failed impeachment inquiry, and if Abbe Lowell, Hunter Biden's attorney at the time, provided him with talking points throughout the duration of the Republican's impeachment investigation. Committee on Oversight and Government Reform, Transcribed Interview of Ian Sams, Former Special Assistant to President Biden (Aug. 21, 2025).

⁴⁹ Significant time was spent during Bruce Reed's interview discussing various ceremonial rooms, porticos, and the White House Solarium. Committee on Oversight and Government Reform, Transcribed Interview of Bruce Reed, Former White House Deputy Chief of Staff for Policy (Aug. 5, 2025).

⁵⁰ Ashley Williams was questioned about which of President Biden's dogs was "the aggressive one," and if she recalled who "transported the dog [...] to go live on a farm or something." In response, Ms. Williams asked for the questions' relevance to the Committee's investigation. Committee on Oversight and Government Reform, Transcribed Interview of Ashley Williams, Former Deputy Assistant to the President and Director of Strategic Outreach (July 11, 2025).