

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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July 7, 2024

Dr. Kevin O'Connor
Physician to the President
The White House
1600 Pennsylvania Ave. NW
Washington, D.C. 20500

Dear Dr. O'Connor:

After a concerning debate performance by President Biden against former President Donald Trump on June 27, journalists have rushed to report on what Americans have seen plainly for years: the President appears unwell.¹ Americans question President Biden's ability to lead the country,² and the Committee on Oversight and Accountability is investigating circumstances surrounding your assessment in February of this year that "President Biden is a healthy, active, robust 81-year-old-male, who remains fit to successfully execute the duties of the Presidency"³ Recently, it was reported that you have "never recommended that [President] Biden take a cognitive test."⁴ The Oversight Committee is concerned your medical assessments have been influenced by your private business endeavors with the Biden family.

Recent evidence obtained by the Committee shows your and James Biden's involvement with Americore Health, LLC (Americore). James Biden, the President's brother, used funds

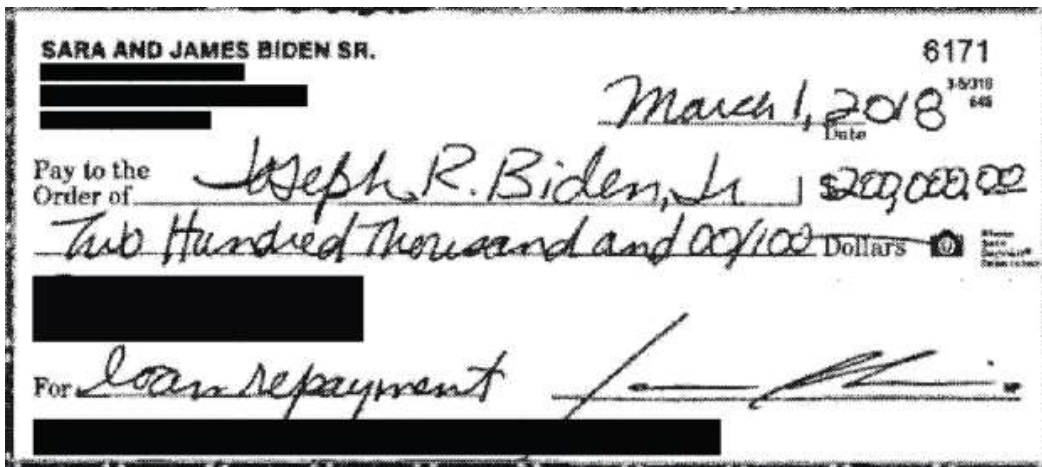
¹ See, e.g., Yasmeen Abutaleb et al., *Biden's aging is seen as accelerating; lapses described as more common*, Wash. Post (July 5, 2024) ("President Biden, who at 81 is the oldest person ever to hold the office, has displayed **signs of accelerated aging** in recent months . . . he **moves more slowly, speaks more softly and has moments when he loses his train of thought** more often than even just a year ago."); see also Peter Baker et al., *Biden's Lapses Are Said to Be Increasingly Common and Worrisome*, N.Y. Times (July 2, 2024) ("In the weeks and months before President Biden's politically devastating performance on the debate stage in Atlanta, several current and former officials and others who encountered him behind closed doors noticed that he **increasingly appeared confused or listless**, or would lose the thread of conversations."); see also Olivia Nuzzi, *The Conspiracy of Silence to Protect Joe Biden*, Intelligencer (July 4, 2024) ("In January, I began hearing similar stories from Democratic officials, activists, and donors. All people who supported the president and were working to help reelect him to a second term in office. Following encounters with the president, they had arrived at the same concern: **Could he really do this for another four years? Could he even make it to Election Day?**"); see also Alexandra Marquez, *Rep. Jamie Raskin says 'honest and serious conversations are taking place' about Biden's political future after debate*, NBC (June 30, 2024).

² See Miranda Nazzaro, *60 percent in new survey say Biden not fit to serve another term*, The Hill (July 3, 2024).

³ Memorandum for Karine Jean-Pierre, Assistant to the President and White House Press Secretary, the White House from Dr. Kevin C. O'Connor, Physician to the President, The White House (Feb. 28, 2024).

⁴ Michael Kranish & Dan Diamond, *Is Biden fit for duty? The answer depends on little-known White House doctor*, Wash. Post (July 6, 2024).

from Americore to pay Joe Biden \$200,000 as the company was facing financial distress.⁵ Americore is a company that operated rural hospitals and is currently involved in bankruptcy proceedings; as part of the Committee's impeachment inquiry into the Biden family's influence peddling schemes, the Committee interviewed Americore's Chapter 11 bankruptcy trustee, Carol Fox in December 2023.⁶ While serving as a principal at Americore,⁷ James Biden received payments for \$400,000 and \$200,000, characterized as loans, from the company that were wired directly to his bank account.⁸ James Biden "procured the \$600,000 in loans from Americore . . . based upon representations that his last name, 'Biden,' could 'open doors' and that he could obtain a large investment from the Middle East based on his political connections."⁹ On March 1, 2018, the same day James Biden received the \$200,000 wire transfer from Americore into his bank account, James Biden wrote a check to his brother, Joe Biden, for \$200,000 for a "loan repayment."¹⁰



In February of this year, the Committee conducted a transcribed interview with James Biden. During the interview, James Biden confirmed that you provided him counsel in connection with the alleged work he was performing for Americore.¹¹ James Biden stated:

Q. – what services did you render to Americore if you weren't getting a salary?

⁵ Press Release, Comer Releases Evidence of Direct Payment to Joe Biden, H. Comm. on Oversight & Accountability (Oct. 20, 2023).

⁶ Transcribed Interview of James Biden, H. Comm. on Oversight & Accountability & H. Comm. on the Judiciary at 37 (Feb. 21, 2024) (hereinafter "James Biden Transcript"); Transcribed Interview of Carol Fox, H. Comm. on Oversight & Accountability & H. Comm. on the Judiciary at 64 (Dec. 18, 2023 (hereinafter "Carol Fox Transcript").

⁷ *In re Americore Holdings, LLC, et al., Carol Fox, Chapter 11 Trustee v. James Biden*, No. 19-61608 at ¶ 16 (Bankr. E.D. Ky. July 7, 2022).

⁸ *Id.* at ¶ 11-12.

⁹ Carol Fox Transcript at 19-20.

¹⁰ See Press Release, *supra*, fn. 5.

¹¹ James Biden Transcript at 38-39.

- A. I met with, for example – my brother wasn't in office at the time. He was a private citizen. And I had gotten through his – as Vice President, his personal physician was Colonel Kevin O'Connor.

And Kevin O'Connor – there was a very – and still there is an outcry for a solution for post-traumatic stress disorder. And one component in terms of filling these hospitals, I thought that if we followed the same protocols that the VA does with post-traumatic stress disorder and alcoholism – that there was a backlog at the VA. So he introduced me to a team.

Atty. “He,” Kevin?

- A. “He,” Kevin O'Connor.

And I remember we had – our first lunch was in Alexandria, Virginia.¹²

Public reporting also indicates you, along with President Biden's son, Hunter Biden, “joined a meeting with Jim Biden and the president of a hospital being acquired by Americore[.]”¹³

According to the *Washington Post*, three of your “former colleagues in the White House medical unit . . . said [President] Biden's debate performance suggested to them that the president should undergo cognitive screening.”¹⁴ After his disastrous debate performance, calls grew stronger from medical professionals that President Biden should undergo a cognitive test but were reportedly overridden by your “continued insistence that [President] Biden does not need testing[.]”¹⁵ The President himself is unwilling or unable to provide insight. In a recent interview with ABC News, President Biden responded to a question about taking a cognitive test by saying “I have a cognitive test every single day,” but, pressed further, said “I've already done it.”¹⁶ You have repeatedly refused most interview requests from the media,¹⁷ and the Committee now turns to you to provide answers regarding your independence because of the mixed and confused messaging coming from the White House regarding the President's ability to perform his job.

¹² James Biden Transcript at 38-39.

¹³ Ben Schreckinger, *Biden's brother used his name to promote a hospital chain. Then it collapsed.*, Politico (Feb. 18, 2024).

¹⁴ See Kranish, *supra*, fn. 4.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

Amid reports President Biden has “lost all independence,”¹⁸ at the first White House press briefing after the debate, White House Press Secretary Karine Jean-Pierre deflected when asked whether President Biden was examined by a doctor following the debate:

Q. After the debate, did the president get exam-ed by a doctor, or did he get a neurological scan?

A. A neurological scan? Look, what I can say is that — just to take a step back, it was a bad night. We understand that it was a bad night. And the president has spoken to this, and he understands that.

And so, I cannot speak to anything beyond what I just shared. The president has regular annual physicals that we release through a report. We're going to continue to do that. I don't have anything else beyond that.

Q. So, was the last time he was seen by a doctor, then, in February?

A. I just don't have anything beyond that — beyond the question of a neurological exam.

* * *

Look, this is why the president goes through, you know, medical examinations — right? — and we release those medical examinations. Right? We've done that the past couple of years. We're going to continue to do that. This is why we're going to go out there and continue to be out there and do interviews and talk to the American people.

And at the end of the day — I got to be careful — right? — because we are in a campaign season. But the American — that's — you know, the American people will see for themselves, right? And I just want to be super — super careful.¹⁹

On July 3, Ms. Jean-Pierre was asked again whether President Biden had been examined after the debate. She stated she spoke with you and that President Biden has not been evaluated since February of this year:

¹⁸ Alex Thompson, *Biden staff “miserable,” alarmed as pressure builds*, Axios (July 5, 2024).

¹⁹ Briefing Room, Press Briefing by Press Secretary Karine Jean-Pierre, The White House (July 2, 2024).

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Q. . . . Has the president had any medical exams since his last annual physical in February?

A. And got — and we were able to talk to the — to his doctor about that, and that is a no.

Q. He hasn't had any kind of medical exam?

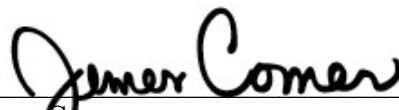
A. No.²⁰

On a phone call with Democratic governors the same day, however, President Biden “told the assembled governors he was **checked out by a doctor** and that everything was fine.”²¹ The statements by the White House Press Secretary and President Biden appear inconsistent, and the Committee seeks to understand the extent of your role at the White House at this time. Given your connections with the Biden family, the Committee also seeks to understand if you are in a position to provide accurate and independent reviews of the President's fitness to serve.

To understand the extent of your involvement in the Biden family's financial activity, we request that you produce all documents and communications in your possession regarding Americore and James Biden. Additionally, the Committee requests you make yourself available for a transcribed interview with Committee counsel. Please contact staff by July 14, 2024, to schedule the interview.

If you have any questions regarding this interview, please coordinate with James Mandolfo or Jake Greenberg with the Committee at (202) 225-5074. The Committee on Oversight and Accountability 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. Thank you for your prompt attention to this important investigation.

Sincerely,



James Comer

Chairman

Committee on Oversight and Accountability

cc: The Honorable Jamie Raskin, Ranking Member
Committee on Oversight and Accountability

²⁰ Briefing Room, Press Briefing by Press Secretary Karine Jean-Pierre, The White House (July 3, 2024).

²¹ Monica Alba & Jane C. Timm, *Biden says he saw a doctor after the debate and acknowledges: 'I screwed up,'* NBC News (July 4, 2024) (emphasis added).