



narcotic drug, or any other controlled substance. In the certification section of the Form 4473, the actual buyer must certify that his or her answers to the questions on the form are “true, correct, and complete.” The actual buyer must also acknowledge by his or her signature that “I understand that a person who answers ‘yes’ to [Question 11.e.] is prohibited from purchasing or receiving a firearm” and “making any false oral or written statement . . . is a crime punishable as a felony under Federal law, and may also violate State and/or local law.”

5. FFL holders are required by law to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer’s home address and date of birth.

COUNT ONE

6. Paragraphs 1 through 5 of this Indictment are re-alleged herein.

7. On or about October 12, 2018, in the District of Delaware, the defendant, Robert Hunter Biden, in connection with the acquisition of a firearm, that is, a Colt Cobra 38SPL revolver with serial number RA 551363 from Company 1, licensed under the provisions of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement, intended and likely to deceive that dealer with respect to a fact material to the lawfulness of the sale of the firearm under the provisions of Chapter 44, Title 18, United States Code, in that defendant, Robert Hunter Biden, provided a written statement on Form 4473 certifying he was not an unlawful user of, and addicted to, any stimulant, narcotic drug, and any other controlled substance, when in fact, as he knew, that statement was false and fictitious.

In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

The Grand Jury for the District of Delaware further charges that:

COUNT TWO

8. Paragraphs 1 through 5 of this Indictment are re-alleged herein.

9. On or about October 12, 2018, in the District of Delaware, the defendant, Robert Hunter Biden, in connection with the acquisition of a firearm, that is, a Colt Cobra 38SPL revolver with serial number RA 551363, knowingly made a false statement and representation to Company 1, licensed under the provisions of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL holder's records, in that defendant, Robert Hunter Biden, certified on the Form 4473 that he was not an unlawful user of, and addicted to, any stimulant, narcotic drug, and any other controlled substance, when in fact, as he knew, that statement was false and fictitious.

In violation of Title 18, United States Code, Section 924(a)(1)(A).

The Grand Jury for the District of Delaware further charges that:

**COUNT THREE**

10. Paragraphs 1 through 5 of this Indictment are re-alleged herein.

11. On or about October 12, 2018, through on or about October 23, 2018, in the District of Delaware, the defendant Robert Hunter Biden, knowing that he was an unlawful user of and addicted to any stimulant, narcotic drug, and any other controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess a firearm, that is, a Colt Cobra 38SPL revolver with serial number RA 551363, said firearm having been shipped and transported in interstate commerce.

In violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2) (2018).

A TRUE BILL:

Foreperson

DAVID C. WEISS  
SPECIAL COUNSEL  
UNITED STATES DEPARTMENT OF JUSTICE

By:



Derek E. Hines  
Leo J. Wise  
Assistant Special Counsels

Dated: September 14, 2023