Dear Acting CFTC Commissioner Rostin Behnam,

I'm seeking clarification on recent comments you made regarding the activity in the silver market in early February of 2021.

In a video posted on March 18 from the International Futures Industry Conference you made the following statement:

“The resiliency and the market structure of the futures market was able to tamp down what could have been a much worse situation in the silver market.”

On behalf of over 51,000 silver investors, market participants, silver industry stakeholders, silver mining executives, bullion dealers, and institutional investors and analysts who follow my research, specifically the evidence of manipulation in the silver market that I’ve uncovered, I'm trying to understand what you meant by your statement.

What specifically was it that the structure of the futures market tamped down, and what was the “much worse situation” that was avoided?

In your comments you also stated that:

“The clearing infrastructure….very strong initial margin, daily mark-to-market, position limits…all of these things together I think really...were managing what was at some point in those few days in late January potentially a challenging situation.

And give credit to the (the recording cuts out, but it appears as if the missing word is “agency”) for utilizing its authority and some of the tools it has within the margin space to control the price and volatility of the silver contracts.”

What was the challenging situation you referred to, and why was it necessary to control the price and volatility?

If investors were buying silver, and the price went up, isn't that what’s supposed to happen?

Given that your role is as a regulator, and not a market maker, fund manager, or lobbyist, what is the outcome that would represent such a concern to the interests of a regulator who’s simply tasked with ensuring a free, fair, and orderly market?

Over the past decade, and even in the time since the CFTC ordered JP Morgan to pay a $920 million fine for manipulating the precious metals and treasury markets on “hundreds of thousands” of occasions, there have been numerous occasions in which the price has fallen substantially on heavy volume, at times when there was no known news or development, yet there was no intervention.
So why was it necessary for anyone to utilize their authority to control the price simply because it was rising?

And with what authority is the CFTC “controlling” the price and volatility?

If this is actually what the agency is doing, then it would certainly seem within the bounds of the transparency you’ve discussed that at least ALL market participants should be aware of how and when this happens.

If the agency did act to control the price and volatility as your comments suggest, are there other occasions in which this has happened?

How do investors know when this will happen in the future?

Could CFTC regulatory action explain some of the many other occasions in which the price appears to be capped when large amounts of futures are dumped on the market at the same time?

Your agency’s mission statement says:

“The mission of the Commodity Futures Trading Commission is to promote the integrity, resilience, and vibrancy of the U.S. derivatives markets through sound regulation.”

Where in that mission is the CFTC given the authority to control the price or the volatility?
And even if the CFTC somehow did have that authority, that would mean that the CFTC has the ability to cap the price, which by definition would mean that it is not a freely trading market as advertised.

While you may or may not like these questions, which are based on the evidence I have submitted both in this message and in the submissions I made through your agency’s Whistleblower program, they are questions that are shared by thousands of your constituents.

I can assure you, this is not just me.

But just so as not to leave any mystery or room for confusion, here is another well-researched and well-regarded gold and silver analyst who points out his own concerns about the CFTC.

WHERE IS THE TRANSPARENCY THAT YOU KEEP PROMISING?

In your comments you also talked about transparency and creating a level playing field for all investors.

“We want the investors to have a level of education....understanding the risks that are associated with it, certainly because they are leveraged, certainly the disclosure element. Making sure all the information is out there, so that the individual will know the risks that he or she is taking when they allocate capital or when they invest in our markets.

I want to be open and fair and transparent, but I also want the disclosures and the guard rails to be there that are strong, that are very clear, so that investors know what they're getting involved in.

And quite frankly, there are going to be certain individuals who shouldn't be trading in our market yet, or at least they need to reach some level of education or understanding of the risks in leveraged markets before putting their money in our markets.”

But if the CFTC capped the price, and most market participants were unaware of it, even months after it happened.

That’s not a transparent market.

If any group, regulatory or otherwise, can tamp down and/or control the price, while the majority of the market participants have no idea it’s coming, not only is that the antithesis of a free market, it’s price-fixing.
On one hand, I am assuming that the CFTC would not be involved in price-fixing the silver market. Although I’m unable to extrapolate what else you could have actually meant by your comments.

As I’ve discussed this with other market experts with extensive trading desk experience, they have also been unable to come up with another explanation, which is why I’m seeking clarity on your comments.

Because if the agency took action to control the price and volatility, and there is a market structure in place that “tamps down” the price when customers buy, ALL, not just some of the silver market participants, who are also the constituents that you’ve sworn an oath to protect, have a right to know about it.

**ARE YOU HEARING WHAT YOUR CONSTITUENTS ARE EXPRESSING?**

It’s also worth noting that if you look at the comments on your own twitter feed (such as [here](#), [here](#), and [here](#)) you’ll see that I am hardly the only one who has these questions. You can see similar comments on the other CFTC’s account as well.

Is anyone monitoring this feedback?

Tens of thousands of investors and silver market participants watch my show on a daily basis, specifically because they are seeing the exact same things and they have the exact same questions.

And frankly, I have a feeling that as more people in the silver industry become aware of what you said in that interview, as well as the other evidence laid out in this report and in the evidence submissions I made through your whistleblower TCR program, that they would have the same questions too.

So how can the investors, business owners, shareholders, and various stakeholders whose livelihoods and businesses are dependent upon the silver markets get answers to these questions?

**HOW WILL THEY REACT WHEN THEY REALIZE THE CFTC HAS BEEN SITTING ON THE EVIDENCE**

On February 1st you announced that you were “closely monitoring recent activity in the silver markets,” and that “the Commission is communicating with fellow regulators, the exchanges, and stakeholders to address any potential threats to the integrity of the derivatives markets for silver, and remains vigilant in surveilling these markets for fraud and manipulation.”
But if something happened that you were the concerned about, how come you didn’t say anything about it until a month and a half later?

And what has also been left unsaid, is that I submitted 2 detailed rounds of evidence through the CFTC’s TCR whistleblower program that explained exactly what happened.

*In fact, the first file I submitted on February 12 actually explains how the price of silver fell 10% on February 2nd, despite such an enormous surge in buying that the LBMA was worried they were weeks way from running out of silver, and in the face of many metrics showing that February 2nd may well have been the single greatest day of silver demand in the history of planet earth!*

Yet while your agency remains unable to explain that, let alone even acknowledge that they see anything wrong with it, you’ve also been sitting on two rounds of evidence that do have the answers. But you refuse to talk with the guy who sent them to you.

*Even months later, your agency is still allowing what’s become an almost daily crime, even though you’ve been sitting on the evidence since February 12.*

I reported it to my audience as it was happening, and then it only took another few days talking to lawyers so that I could submit it to your office.

Yet 3 months later, your agency acts as if it can’t even recognize that anything was unusual with what happened on February 2nd, *despite how you actually opened an investigation into the silver market just one day earlier on February 1!*

**YOU TALKED ABOUT PRICE CONTROLS AT A FUTURES CONFERENCE BUT YOU CAN’T CONFIRM IF YOU’VE EVEN READ THE EVIDENCE I SENT?**

I’ve followed up with your office on multiple occasions to see if anyone has even looked at the evidence I’ve sent, as I’ve watched and detailed the same crime, that has amazingly occurred on multiple occasions even since the one described on February 2, and I’ve consistently been told that the CFTC cannot even confirm if they’ve looked at the evidence because it’s an open investigation.

But if your agency is really that sensitive to keeping this investigation private, how is it that you were able to talk about it at a conference that most of your constituents did not attend, and then reveal how the price was tamped down and controlled on a show that had only 90 views before I started publicizing it?
You can comment to a trade group whose “membership includes clearing firms, exchanges, clearinghouses, trading firms and commodities specialists,” but you can’t talk to the people you’re supposed to protect or the person who’s submitted the evidence to explain what your agency cannot?!

Are these some of the groups that were facing the consequences of the much worse outcome you described?

Yet despite all of that, the price of silver is actually lower today than before this all began.

Does that seem odd to you?

Do you understand why there is an overwhelming majority of the silver market that’s having a harder and harder time believing that the CFTC really has any intention of honestly regulating this market?

Even now as you read this, has anybody yet reviewed the detailed evidence I sent that actually explains how the price of silver fell, in the midst of likely the greatest surge of buying in the history of silver trading?

Is there any way you can explain that to the constituents you swore an oath to protect and serve?

Fortunately, many investors were able to be aware of what was going on since I took the time to make videos about all of these topics, and explain them in great detail, as I also wrote up the evidence and submitted it to your office just days after the crime.

The LBMA explains what everyone was so afraid of

Your comments indicate that the fundamental principles of a free market were somehow prevented from functioning in order to avoid what you labelled a much worse situation.

But a much worse situation for who?

Thanks to the recent LBMA silver report, we now know that investors were buying so much silver that the LBMA actually feared running out of metal within weeks.

As the social media frenzy gathered pace in late January, demand for coins, bars and ETPs all jumped. For the latter, global holdings surged by 119Moz in just three days. This was concentrated in the iShares fund, where holdings rose by 110Moz. Given that most of this metal was allocated in London, fears emerged as to whether there was enough silver should demand continue at this pace.
At end-February 2021, 765Moz was allocated in London against ETPs, leaving 360Moz of potentially available metal. This suggests that had demand in iShares continued at the frenetic rate of late-January/early February it would only have been a matter of weeks before London’s existing stock was used up.

Is this demand what the futures market had to tamp down in order to avoid a much worse situation?

Yet here we are months later, and while the frenetic buying pace has slowed, the dealers still report elevated activity and product delays, yet the price is actually lower.

I’ve called JP Morgan, Goldman Sachs, iShares’ SLV and none of them can explain that.

You can see on the chart here in the red line that on January 28, a day before the 3 day period of record-setting demand, the silver price crossed above the $26.50 level.

Yet 3 days later, after investors purchased so much silver that the LBMA confirmed that London was weeks away from running out, a day before several of the silver ETFs changed the language of their prospectuses to include legal language that specifically protected them against a short squeeze, and even went as far as to confirm that there are indeed “hedge funds and large banks with substantial short exposures to silver,” and at the same time you yourself
commissioner Behnam described a “challenging situation” that required price control to prevent a “much worse situation,” the price of silver at one point was below $26.50 on February 2nd.

In other words, after panic buying that had the paper silver market within weeks of being fully exposed, the price was actually lower.

How would you explain that to your constituents?

*If the kind of buying demand we witnessed over January 29-February 2nd isn’t sufficient to push the price of silver higher, what is?*

The physical dealers sold so much product over the weekend of January 30-31 that they had to suspend sales until the futures market opened on Sunday night since almost every major US dealer had sold its entire hedged supply.

And on Monday February 1, as the COMEX futures silver price broke above $30 per ounce, *JM Bullion’s owner Michael Whitmeyer reported on CNBC* that the dealers were being overwhelmed with demand and many were wiped out of supply.

Meanwhile physical silver dealer Miles Franklin reported:
“February 2nd was the most silver we have ever sold in 24 hours, and the most calls we have received in 1-day period by far. Had we had online capacity I am sure we would have done WAY more.”

Yet after 3 days of record buying that had the entire bullion banking industry afraid that they were weeks away from running out of silver, the price went down!

*And this decline happened just 1 single day after you announced you were monitoring the silver market for fraudulent activity!*

It’s also worth highlighting that the decline began in the morning hours surrounding the public release of JP Morgan’s silver sector downgrade at 4:59 AM estern time.

An article that never actually offered a reason for why JPM was downgrading the setor, or an explanation of how they felt it was appropriate to downgrade the silver sector, while they were simultaneously in the middle of allegedly adding the single greatest amount of silver in the history of the silver trusts!

Can your investigation explain this Commissioner Behnam?
What you said in your interview seems like incredibly material information that’s relevant to the integrity of the silver market, and I ask you now, in a message that is also being shared with the other stakeholders in the silver industry that ask me these same questions on a daily basis, **can you explain the comments you made, and how they fit in with this evidence that your agency has been sitting on for over 2 months?**

The same “spoofing” crime that your own agency has fined several banks for in the past year (including JP Morgan) not only continues on a somewhat regular basis, but perhaps the most egregious example occurred just one day after you launched an investigation.

But your comments seemingly indicate that rather than being infuriated by it, you condoned it, if not even facilitated it.

**This isn’t the first time this has happened with the CFTC and silver**

Of course this isn’t the first time that something like this has happened with the CFTC in regards to the silver market.

Former chairman Gary Gensler closed an investigation into silver manipulation in 2013 with a press release that stated that “there is not a viable basis to bring an enforcement action with respect to any firm or its employees related to our investigation of silver markets.”

Keep in mind this investigation took place over the same time period where the same CFTC last year announced that they had found “hundreds of thousands” of violations of their own rules.

But even if there were some things that might have been hard to see back then, how does the following excerpt from the CFTC’s press release fit with what former commissioner Bart Chilton revealed when I interviewed him in 2019?

> “The complainants generally asserted that because the prices for retail silver products, such as coins and bullion, had increased, the price of silver futures contracts should have also experienced an increase.

> By reference to publicly available information concerning large traders with short open positions in the silver futures contracts, the complaints also alleged that the large shorts in the silver market were responsible for lower futures prices.”

But what most in the public don’t know, is that it wasn’t that Gensler’s investigation didn’t find any evidence of silver price manipulation.
Rather, Chilton made clear in his interview that he saw plenty of inappropriate trading activity and felt that the CFTC had the evidence, but their forensic economists told them they didn’t have enough to bring a case.

Bart describes how he was so disturbed by the initial decision from the CFTC’s forensic economists that he actually appealed to have the legal definition of what constitutes manipulation changed. And he further states that had the new standard been in place earlier, he thinks they would have been able to get a conviction.

Can anyone actually watch what former CFTC commissioner Bart Chilton says there and say with a straight face that none of this information was material or substantial?

And keep in mind, these revelations came after Chilton left the CFTC!

Which means that the CFTC or any of the active commissioners have still to this day never commented on any of this!

So can you understand why it’s becoming increasingly difficult for your constituents to believe that you are really trying to honestly regulate the silver market?

Will you offer any comment on this now?

This part is no longer an active open investigation.

Can you offer your constituents any opinion on what Bart revealed, and whether the agency’s lack of comment is inline with full transparency?

THE CFTC COMMISSIONERS ACTUALLY BLOCKED EVIDENCE DURING THE PERIOD WHEN THEY MISSED IT
Commissioner Chilton also talked about how disappointed he was when he found out that the other Commissioners actually started blocking evidence that was sent in by the public. This was during the investigation that Gensler closed, that your agency then found hundreds of thousands of infractions of 7 years later.

Is it possible the crime could have been caught earlier if those commissioners had not blocked that evidence?

Do you see why so many of your constituents are a bit alarmed by your comments on March 18, given that the only thing your office has been able to tell me is that they can’t even tell me if you’ve looked at the evidence I’ve submitted?

Commissioner Behanm - if you were a constituent of the CFTC, how would you feel right now?

How should your constituents feel upon reading this information, that most have never heard before?

**HAS THE CFTC EXPLAINED WHY SILVER FELL FROM $21 TO $9 IN 2008?**

Bart also talked about how JP Morgan inherited a position from Bear Stearns that was so large - (at one point close to 40% of the silver market) - that it was over the position limit, and that despite being given a temporary waiver to reduce it, when they checked back in with Bart a few months later, instead they had made it bigger.

[https://www.youtube.com/watch?v=1cM5gnd0tf8](https://www.youtube.com/watch?v=1cM5gnd0tf8)
Which may not sound like a big deal and worth rehashing 13 years later, unless you also consider that despite more historic interest rate cuts, failing banks, and physical silver demand to the degree that the dealers simply couldn’t get product, the price of silver started falling from $21 to $9 within in days of the takeover.

The following is a quote from Andy Schectman, owner of gold and silver dealer Miles Franklin.

“Every major dealer in the industry was sold out of product. Not just in the United States. Internationally.

Every major refinery was sold out of product and had nothing to sell or offer.

Every dealer on the certified exchange, a network of over 1,500 dealers, was begging anybody for product. We were getting phone calls from distributors across Europe saying that their normal chains of supply in Germany and in Zurich had dried up.

The United States Mint in 2008 shutdown six or seven times. The Canadian Mint and the Austrian Mint were working three eight-hour shifts, 24 hours a day. And ultimately were anywhere from 30 to 50 or 60 days back ordered, and wouldn't even let you take orders most of the time.

The Rand Mint in South Africa ran out of product for the first time in 60–65 years, and the Perth Mint in Australia shut down in July or August of that year and took no new business. Now that was with the price of gold and silver plummeting.”

Andy mentions that by late 2008, when the price of silver was close to $9, the US Mint finally came back online. But said that orders would take 8–12 weeks, and that Silver Eagles would cost dealers $17.50. Almost a 100% premium. And that was even before the regular dealer commission markup.

APMEX, another one of the largest precious metals retailers, reported the following:


For example, the premium commanded by the one-ounce American Silver Eagle rose to more than 80% over the silver spot price by late 2008, and the premium was still about 40% over silver spot in early 2009.”

This happened at the exact same time JP Morgan was making its already over the CFTC’s limit position even bigger.
Did the CFTC feel that none of this was material information that would give a more full context to the market participants to understand what's really going on?

Your agency didn’t share any of these details before Bart’s interview, you haven’t commented on it since then, and no one from your agency has ever reached out to me to discuss it or learn from it. And of course no one from your agency has apparently ever contemplated why someone would voluntarily leave a lucrative career on Wall Street to spend their time on researching this.

Of course if you’re wondering what’s the big deal about an oversized position and why that could have the potential to manipulate a market, here's what Bart had to say about that.

https://www.youtube.com/watch?v=qyuLXQK944A

https://www.youtube.com/watch?v=Cln7WApEbSs
Of all of the shocking comments Bart made, perhaps most relevant to the current case at hand is how he responded when I asked him if my understanding of how the manipulation occurs (which he referred to as spoofing).

This is particularly important, because while there were a handful of crimes that occurred on February 2nd, what Bart describes is at the heart of everything that happened.

Not only did he confirm that my interpretation of how the crime is orchestrated (an understanding I was able to arrive at despite not having access to the CFTC’s trading data and subpoena power), but he even went as far as to say that the only difference is that now when it happens, the price moves even more!

In the time since then, I’ve talked with thousands of silver investors, and any time I’ve ever asked someone why they think the price of silver fell from $21 to $9, they’ve said “because there was panic selling.”

Do you think every single person who reads this letter would still say that now?

Does any of this seem like material information that the CFTC could comment on if it really wants to demonstrate transparency?

Have you actually seen what Bart said?

This is what happened on February 2nd.
And this is how the price falls by 10% in the face of arguably the greatest single day of silver demand in history.

**THE MYSTERIOUS SILVER COMMENTS OF JEFF CURRIE AND GOLDMAN SACHS....**

Throughout the early days of February, one of the banks that was involved in this unusual sequence of events, that might be worthy of further investigation by the CFTC, is the infamous Goldman Sachs.

In an interview in that first week of February, when Jeff Currie, the chief head of commodities for Goldman Sachs (an authorized participant of the SLV trust and a member firm of the LBMA) was asked about the activity in the silver market, he somewhat bizarrely mentioned the following:

"In terms of thinking about how you’re going to create a squeeze, **the shorts are the ETFs. The ETFs buy the physical, they turn around and they sell on the COMEX to be able to hedge that physical position like any other corporate.**"

https://www.youtube.com/watch?v=ESxpDsUmQRE

I’m not sure that in my entire career I’ve heard of any other entity employing a hedging strategy like that.

Because what is it specifically that Jeff, Goldman, and whoever else associated with the ETFs would actually be hedging?
The trust is a pile of silver that is allegedly holding the metal on behalf of their customers. Investors buy SLV because they want exposure to the silver price. So what is there for the custodian or ETF administrator to hedge?

Not only doesn’t the custodian, sponsor, or authorized participants have any conceivable legal or economic reason to hedge anything (even if there was hedge in between when the iShares money is collected and the silver is purchased, it would be a “long” hedge, not a short), but the use of COMEX futures is actually even expressly forbidden in the iShares SLV trust’s own prospectus!

Of course this is the same Jeff Currie that used the Goldman Sach brand on February 2nd and February 4th to claim that it was impossible for a short squeeze to occur in silver because of position limits, yet failed to mention that his bank routinely violates those position limits (and just take a guess at who’s supposed to be monitoring that).

This leaves the informed observer simply to ponder if the reason Jeff didn’t make a media appearance on February 3rd is because he was busy signing off on the legal language that his bank and others changed in the prospectuses of SLV and several other silver “trusts” with far less media fanfare.

Jeff also didn’t mention that Goldman Sachs would issue 2909 silver contracts for delivery out of their house account in March of 2021. Which means that depending upon when those short contract positions were initiated, his bank may have actually been short when he made those statements.

Commissioner Behnam, will you either explain how all of these data points are in-line with a free and fair marketplace, or otherwise commit to properly investigating them.

I Wonder What SLV Investors Would Do If They Heard This....

I actually called iShares on February 5th, because neither myself nor any of my peers thought it was actually possible that they could have added the silver to back the 61 million shares they reported adding to the trust on February 2nd, the day the price of silver fell by 10%.

I wanted to understand exactly what was implied when the trust reported adding metal, and asked if they could still be “working an order” or “sourcing the metal” after the shares have been added, or if “added shares” meant that the metal had already been obtained. The iShares representative confirmed that if shares are added, the physical silver must be added that day.

When I asked who’s responsible for adding or subtracting the silver, she told me it was the custodian.

When I asked who the custodian was, she said it was JP Morgan.

I mentioned that this setup seemed like it was rife for potential conflicts of interest, especially since a lot of money is being entrusted with a bank that agreed to pay $920 million to the CFTC less than 6 months prior to this phone call for rigging the precious metals markets.
When I asked her if she was concerned about that, she said she could not comment (a common theme that seems to keep popping up any time I ask these questions to any of the banks that are associated with these products).

When I asked for a copy of the SLV audit, she told me that she thought there was something on the SEC’s Edgar database.

That was the moment when I became really concerned.

This trust just added 118 million shares, that are allegedly backed by silver, in just 3 days, while the price fell by 10%, and even the SLV sponsor’s investment relations department can’t find the audit?!

Would it be reasonable to conclude that based on how the SLV IR responded, that it’s unlikely that many (if any) of the investors who purchased those 118 million shares checked the audit before purchasing?

I told the representative that I was a silver analyst who has a public show, and that I wanted to make sure that I had everything completely accurate. I told her I was happy to wait on hold, but to please make sure she was getting me 100% accurate information.

After returning from a hold, she directed me to the inspection letter. Which talks about the count, but of course is not an audit.

So after over 40 minutes on the phone, all I was able to get was an inspection letter (which interestingly, appears to have been removed from the SLV site as of the time of this writing), which shows the last time that anyone other than JP Morgan has put their name on anything even resembling an audit of the SLV trust was March 6, 2020.

This means the last time someone other than JP Morgan signed off on the metal being accurately accounted for, was less than 2 weeks before the price of silver fell below $12 (well below the cost of production - approximately $15-16 for most silver miners at the time), while once again, SLV reported adding silver to the trust.

In fact, SLV reports adding silver to the trust even on the exact day when the silver price falls below $12!
How is it that JP Morgan is so regularly adding large chunks of silver to its trust, but when it does so, the price falls rather than goes up?

How does JP Morgan regularly defy the laws of supply and demand commissioner Behnam?

Yet somehow this bank remains the custodian for not just SLV, but for several of the other silver trusts as well, while no one from JP Morgan or iShares seems able to explain how the price of silver fell 10% while they reported adding a historic amount of silver into the trust!

When I asked iShares if that’s a conflict of interest, they said they can’t comment on it.

I asked who can comment on it, and they said they don’t know.

Perhaps to say there’s a conflict of interest here given the past history of the parties involved would be quite the understatement.

Even when I offer to wait on hold and ask them to find out if there’s anyone in their entire institution that’s interested in the evidence I present when I publicly accuse them of fraud, they just tell me they don’t know who to transfer me to.

When I called iShares again several weeks later, the person I spoke with directed me to a section of the SLV prospectus that talks about an audit by Price Waterhouse Coopers, but the IR rep was again unable to produce the actual audit.

*Is this really the best Wall Street’s supposedly “finest” institutions can do?!*
After more than a collective 1.5 hours on the phone with several iShares investor relations representatives and supervisors, **no one was able to find the audit of SLV. And even the supervisors couldn’t even confirm if it actually exists!**

But I encourage anyone reading this to call for themselves and find out.

I’ve called the JP Morgan, Goldman Sachs, and iShares and none of them can explain how the price of silver fell 10% on the same day their own silver trust set historic records for silver demand (although I might suggest that reading through the changes to the prospectuses will help answer most of the questions one might have).

These are licensed institutions that are selling these products, yet even they can’t answer these questions. And they can’t even figure out anyone else who can either.

But if I hadn’t raised any of these issues, how many people do you think would be aware of what they’ve just read?

Additionally, compare the text and writing style of the report you’re reading now to the SLV prospectus, and see if one seems like it’s been designed to be easy to read, while the other feels like it’s been intentionally written to make is as difficult as possible to actually understand the legal terms used (that of course were updated and changed on February 3rd, but not mentioned in any of Jeff Currie’s media appearances).

Commissioner Behnam, I don’t believe these are all just coincidences or “mistakes.”

Could these be some of the reasons why the silver price fell 10% on February 2nd despite SLV almost tripling the previous record for 1-day share additions?

In case you have not yet reviewed that evidence I sent in but would like to do so now, you can find it here.

Is your agency aware of this information?

If so, given your comments about transparency, why haven’t you shared it?

Whether SLV and the trusts are under your direct jurisdiction or not, does this sound like a well-regulated market structure to you?

Would you tell one of your own family members that these products seem safe and show no warning signs of potential fraud worthy of further examination given what you just read?

**So I ask you now Commissioner Behnam, if this seems almost impossible to believe, will you call iShares and find out for yourself if something so wild could actually be true?**
Or would you do a 3-way call with me and listen in while I will ask these questions and others?

I can’t see any way in which just listening could interfere with the agency’s investigation, and I’m confident that what you would learn would be directly beneficial to your investigation.

I know it was for mine.

But if somehow you feel otherwise, then that’s another question I think your constituents deserve an answer to.

**WHAT WOULD JP MORGAN HAVE TO DO TO BE BANNED FROM TRADING SILVER?**

With JP Morgan’s track record, at what point do they fit into that category of entities who have lost the privilege of being able to trade in the silver market?

In case you are wondering how your constituents feel about JP Morgan’s long record of financial felonies, market rigging, and whether they have any place in an honest market, here’s a petition with several thousand signatures that supports permanently removing JP Morgan from the gold and silver trading industry.

Commissioner Behnam, are these signs that further investigation into this matter is warranted?

If so, fortunately most of these details are already laid out in the 2 rounds of evidence submissions I already gave to your office on February 12 and April 6.

Ronan Manly of Bullionstar also did a brilliant effort at explaining how the silver trust accounting numbers leave a lot of unanswered questions, and I would suggest that it would be wise for investors and regulators alike to do their proper due diligence on all of these silver trusts before committing or leaving their money in these products.

At least as a silver analyst with 20 years of financial experience, including 7 years trading equity options on the American and New York Stock Exchanges, I wouldn’t feel comfortable putting my money in there. And I sure wouldn’t advise anybody else to either.

Yet somehow JP Morgan remains the central link of the current silver market structure, with apparently little or no oversight, and despite their past transgressions.

Helen Chaitman, who wrote a book called *JPMadoff*, that detailed JP Morgan’s unusual arrangement as the sole banker for disgraced Ponzi Scheme financier Bernie Madoff said that:
“Madoff was not as big a crook as JP Morgan Chase.

Because JP Morgan Chase has plead guilty to 6 felonies just within the past 5 years. Major felonies.

But they get a slap on their wrist and just move on to the next felony.”

And in this case, despite that track record, they are the custodian of most of the silver trusts around the globe, and at least according to iShares, no one has provided any oversight of JP Morgan’s accounting in over a year.

COULD THIS HAPPEN AGAIN?

Whatever it was that you were referenced was the dangerous situation that could have been, could it happen again?

The LBMA mentioned that if the demand continued at that pace, it would wipe out their supply. They didn’t think it would continue, but what if people do read their report and realize just how vulnerable this market has become and people do start buying silver again?

If that occurs, will the price be tamped down and controlled again?

WILL YOU EXPLAIN YOUR COMMENTS COMMISSIONER BEHNAH

Commissioner Behnam, I implore you to explain your recent comments to your constituents, and also provide an update on the evidence I submitted.

If the CFTC really wants to be viewed as transparent by the participants of the silver market, this is how that can be achieved.

Of course I fully understand that you and your agency can continue to ignore me, this message, and your constituents, and remain silent on this critical issue.

However, that’s why I am sharing this letter with the people who come to me for honest and genuine research about the silver market, and why I will also be submitting this as another round of evidence through your agency’s TCR program.

So that everything is clear, public, and on the record.

So that it’s transparent.
I understand these aren’t easy issues to figure out. I’ve had to spend the last twelve years researching them with my own funding, often at great financial risk. And yet I still went to the effort to make sure that this was all written down clearly, and submitted through the proper channels. So that if the CFTC’s investigation was unable to uncover this information on its own, that there would be a way for you to get help.

If there’s something that explains your recent statements, please clarify that now before further time and money is wasted.

If you are able to sufficiently answer the questions raised in this letter in an open and transparent manner, I will be happy to continue assisting the agency.

However, if you have not responded in sufficient fashion by the close of trading on Friday May 7, then I will no longer cooperate with your agency, and I will reallocate my time and energy towards exploring legal and public media relations efforts.

Hopefully that won’t be necessary, because if we all just want a free and fairly regulated market, I trust that all resources and energy can go towards obtaining that.

As always, the choice is yours.

In either case, I will continue to report the situation truthfully, honestly, and in transparent fashion.

Sincerely,
Chris Marcus

Founder of Arcadia Economics
Founder of The Silver Industry Integrity Committee

P.S. I couldn’t help but to notice the irony of the timing of the letter the CFTC sent out regarding a need for whistleblowers, on the exact day as I am finishing this letter.
Given where this matter stands, I do agree with your constituents have expressed here, regarding whether my contributions to this case are worthy of the CFTC’s whistleblower award, and I would like to hear an update on this matter as well.

I went to great expense and effort to be able to write this report, and make sure this information got out to the silver market participants.

**P.S.S.** I give anyone full permission to reprint or use any material in this report, the video, and the links contained within, as long the information is presented in a way that clearly conveys the underlying intention message.