


**Donald R. Signer**  
  
**Fremont, CA 94539**

August 5, 2011

The Honorable J. Russell George  
Treasury Inspector General for Tax Administration  
1125 15th St NW, Suite 700  
Washington D.C., 20005

Dear Mr. George:

I write to express my total disgust with TIGTA's actions regarding a complaint I filed, and to allow you an opportunity to respond before I take further action. This regards Complaint Number 55-1007-0052-C, which TIGTA received on June 25, 2010. TIGTA file documents I obtained through FOIA in June 2011 reveal that **TIGTA avoided investigating my complaint in what clearly appears to be a cover-up of what presumably is proof of my allegations.**

My complaint regarded two IRS audits I received as a General Motors dealer; one in 2005 on my corporation, Don Signer Buick-Cadillac, Inc., and the second in 2008 on my personal return. Each audit was the first ever. Extensive evidence indicates that General Motors instigated the audits in conspiracy with the IRS as two of several acts of harassment carried out by GM to financially and emotionally damage me. GM's motive was its desire to acquire my franchises for its own selfish plans to take control of my local market, with the harassment acts used as an inducement for me to concede to its wishes.

In response to my complaint, TIGTA falsely misclassified my complaint from the harassment allegation it truly is to a "tax issue" to justify referring it to the IRS, and thus avoiding a proper criminal investigation. In October 2010, an IRS Territory Manager recognized the improper referral to the IRS, and correctly returned the complaint to TIGTA for investigation. Following multiple Congressional inquiries it received in November, TIGTA assigned the complaint to an IAD Special Agent who contacted me in early December and led me to believe that he was initiating an investigation. Unbeknownst to me, TIGTA removed the case from the Special Agent on December 9, immediately after he interviewed me. On December 13, TIGTA referred the case back to the IRS for quiet final burial, which was finalized without action on February 28, 2011. While I was led to believe that an investigation was being conducted, TIGTA documents show otherwise.

In April 2011, Deputy Inspector General for Investigations Tim Camus sent letters to Congressman Pete Stark and Senator Barbara Boxer in response to their Congressional inquiries. The letters stated, "We have concluded our review of your constituent's allegations and have determined they are unsubstantiated. We found no evidence that IRS and GM officials conspired to harass Mr. Signer by auditing his tax returns. The inquiry revealed that Mr. Signer's tax returns were examined because of legitimate IRS business reasons."

The letters' deceptively worded statements falsely lead readers to believe that an investigation had been conducted. In reality, TIGTA file documents disclose the truth: **TIGTA "found no evidence" because it didn't look.** The term "We have concluded our review of your constituent's allegations..." thus apparently means only, "We read his letter." Concerning the "legitimate business reasons;" in 2010 the IRS reversed the 2008 tax assessment it ultimately admitted was wrong, thus providing me a net tax benefit from the two audits. In the grueling process, both the IRS and I wasted many hundreds of hours and countless thousands of dollars over many years, in addition to the considerable stress I endured. I will pursue compensation for my time, expense, and stress.

TIGTA's apparent cover-up conspiracy includes false statements on multiple documents, most of which contain the "Complaint Narrative" correctly stating that I allege harassment, and mentioning nothing about a tax issue. The Narrative in itself discredits the statements made on the same pages. Following are documents with false statements:

- "Complaint Information" forms dated 7/16/10 and 12/9/10 show complaint referred to IRS as a "non-criminal, personal/business tax issue." It further states, "Reason for no inv.: 11-Personal/Business Tax Issue." These statements are blatantly **false**.
- "Complaint Referral Memorandum" forms dated 7/19/10 and 12/13/10 refer complaint to IRS ECCO. Block 6 stating "'1203" Violation Alleged" is **falsely checked "No"** on each form. RRA Section 1203 clearly states that harassment is, in fact, a 1203 violation. IRS manual clearly states that a 1203 violation is the responsibility of TIGTA, not the IRS.
- "S3. Result" form dated 12/9/10 **falsely shows** "Personal/business tax issue" and "No investigative potential."
- On 2/28/11, the 12/13/10 "Complaint Referral Memorandum" is closed out without action by an IRS employee with **false statements** about the complaint.
- "EIU Report of Inquiry" dated 2/28/11 also shows complaint is closed without action, and includes **false statements** about the complaint.
- TIGTA's date stamp on my complaint letter **falsely states**, "Received JUL 15 2010." U. S. P. S. certified receipt shows TIGTA actually received it 6/25/10, 20 days before the date stamp. In my opinion, TIGTA, and possibly other Treasury Department personnel, used those 20 days to plan what I believe is the **fraudulent cover-up strategy** documented in the 7/16/10 "Complaint Information" form.
- In my FOIA requests, the first two responses produced very few TIGTA pages, much content of which was redacted by (b)(7)(c), or "personal privacy." After my appeal, a June 8 response removed redactions and revealed the above **false statements**, and proved that the "personal privacy" claim itself was **false**.

TIGTA's actions are appalling, especially when viewed in the light of its mission: "The Office of Investigations investigates activities related to fraud, waste, abuse..." In my case, TIGTA's inaction condones IRS behavior in what appears to me to be violations in all three areas of focus:

- Fraud: The two audits were conducted solely to assist GM in its goal to financially and emotionally damage me to harass me into conceding to its wishes to acquire my franchises.
- Waste: Hundreds of hours, and thus thousands of dollars, in IRS activity in the audits and Form 1040X review, not even considering a corresponding cost to me.
- Abuse: The stress, time, and monetary cost to me caused by the grueling audits and 1040X review.

**Additionally, I consider TIGTA itself to have committed fraud in its apparent cover-up strategy.** While TIGTA has discretion in which complaints it chooses to investigate (mine clearly commands investigation,) it does not have discretion in telling the truth. As for the origin of the cover-up, it is highly unlikely that so many TIGTA employees would lie without direction from higher authority levels. In my opinion, Mr. Camus's deceptive statements to Members of Congress make him a participant in the cover-up, and indicate his approval of subordinates' actions. As a courtesy to allow him to comment on my observations, I attempted unsuccessfully to contact him by mail and with phone messages to both his secretary and voice mail. I consider his non-response to be confirmation of my assessment that he was in on the cover-up.

In determining the driving force of the alleged cover-up, a motive must be established. It is obvious that both GM and the IRS would have such a motive since they are the alleged parties. If they were not involved in the cover-up, then the motive would have to be at authority levels of Mr. Camus and up. I will first examine that ladder of authority.

Treasury Department motive discussion: While he was an apparent participant, Mr. Camus (and his subordinates) would seemingly have nothing to gain, and potentially much to lose, from the apparent cover-up scheme, thus indicating that direction came from above. According to organizational charts, the ascending chain of command consists of Mr. Hungate and you, then Secretary Geithner, then President Obama. In the following I will discuss possible motives by each of the aforementioned people.

Inspector General George/Principal Deputy Hungate: As with Mr. Camus, there is nothing to be gained by a cover-up, so there is no apparent motive. In fact, based on TIGTA's mission of independent IRS oversight, it would seem that this team's evaluation would be enhanced by exposing IRS fraud, waste, and abuse. If it simply sweeps allegations under the carpet, then either the department should be abolished, or its leadership replaced.

Secretary Geithner: Public exposure of IRS conspiracy with a large corporation to destroy a targeted associate would obviously create a huge backlash. Seemingly of greater concern is the fact that this case involves GM, the Treasury Department's business partner by way of the 2009 TARP bailout. Adding even further fuel to the fire is the fact that the Treasury Department backed GM's widely unpopular confiscation of that particular targeted business (mine) in the taxpayer-funded bailout, thus destroying everything the business owner had ever worked for, and the jobs of his employees. With the Treasury Department's "Presidential Task Force on the Auto Industry's" plan for the GM bankruptcy and the termination of targeted dealers, Secretary Geithner

stuck his neck out in 2009 by endorsing what was a very controversial TARP strategy.

Without doubt, this “couldn’t happen in America” willful destruction of the life of a U. S. citizen and life-long GM dealer is a story that would be devastating to the image of both GM and the Treasury Department, specifically that of Mr. Geithner who “owns” the TARP bailout plan. In summary, whether he was involved or not, Mr. Geithner had clear motive to prevent exposure of the alleged GM/IRS criminal conspiracy.

President Obama: As discussed above, the GM and Chrysler TARP bailouts/dealer terminations in 2009 were controversial plans. President Obama had, and continues to have, tremendous political capital riding on the perceived success of the two companies. Whether or not the Obama Administration was involved in the apparent cover-up, exposure of the GM/IRS collusion I allege would be politically damaging.

If GM and/or the IRS instigated the cover-up, their influence could enter the TIGTA system anywhere from Deputy Inspector General Camus on up. Since neither GM nor the IRS is in the TIGTA authority structure, any influence they would have on the alleged cover-up would had to have been done in some illicit fashion. I believe that in my audits GM and the IRS communicated as such, so one or both of them could have done so with TIGTA. Each had my March 2010 advance notice of my intent to file a TIGTA complaint.

TIGTA’s refusal to investigate my complaint is not the first time my allegations have been mysteriously buried away. In 2006, after years of inept and malicious actions by GM, I attempted to amicably settle for past damages. After initially pleading with me not to sue, GM subsequently declined settlement, and thus forced me to file suit in early 2007. GM then made me a sizable settlement offer, but it didn’t approach the damages I had suffered from GM’s actions over many years. In May 2009, after my 27 months of preparation, GM was mysteriously able to get the judge to dismiss all eight counts in a very rare granting of summary judgment, thus denying me my right to an already scheduled jury trial. In a one-two punch, this dismissal was immediately followed by GM’s Treasury-backed termination of my franchises in its bankruptcy. As GM has much to hide in its cheating me out of millions of dollars, and is the common party in the dismissal and the TIGTA action, TIGTA’s refusal to investigate my complaint is eerily far too similar to the judge’s denying me my right to a jury trial to be coincidental.

As a result of actions by the judge and TIGTA, accountability has so far been avoided by GM, the IRS, and their responsible employees. The lone exception is GMAC’s termination of two executives in 2006 when I exposed one of GM’s harassment plots. While the aforementioned judge and TIGTA exercised “judgment” in their (improper) decisions, TIGTA’s actions included a trail of documented lies and deception that simply cannot be disputed, and thus leave no room for misinterpretation or further denial of the obvious. It would thus seem that all of the evasive maneuvers have now reached a day of reckoning.

It is indeed regrettable that many TIGTA employees have seemingly been induced into their unethical actions. It defies belief that over the years, GM has caused lies on top of wrongdoing on top of more lies with the help of outsiders, all of which could have been avoided by fairly compensating me in 2006-2007. Had GM done that, it would have

acquired my franchises ethically, wouldn't have needed the second IRS audit, and I wouldn't have filed a TIGTA complaint. My life wouldn't have been destroyed as it has been, and many Treasury Department employees wouldn't have been drawn into the vulnerable position they are now in. It is unfortunate for so many people that history has taken this course that has produced no winners, other than the new GM with its huge profits at the expense of U. S. taxpayers. But the damage has been done, and I am more motivated than ever to hold all on the growing list of co-conspirators accountable.

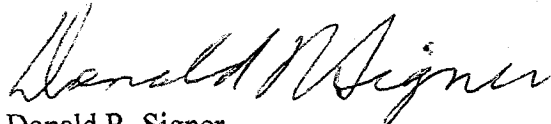
When researching the TIGTA organizational structure online, I saw the record of the 2004 Congressional Hearing for your nomination. Within your impressive background and statements, two items stood out in my mind, your Rotary membership, and the following statement: "I have devoted most of my professional life to public service in various positions of trust. In none of those positions have I violated – or been accused of violating – that trust." We share a common bond in those two items. First, I have been a member of the Rotary Club of Fremont since 1983, and believe strongly in what Rotary stands for. Second, I have devoted my life to representing General Motors for thirty-nine years as a dealer in Oregon and California, and feel I can make the same statement you made about trust. I must say, however, that the department you head has totally violated my trust. I am appalled that any government entity, let alone the moral authority of the Treasury Department, would so blatantly disregard the truth. I am certain you would agree that TIGTA's actions woefully fail the Rotary Four Way Test.

I suggest you review my website, [donsigner.com](http://donsigner.com), which goes into detail about GM's unbelievable actions with me over a two decade period. In the "Dealership History" narrative I describe IRS and other Treasury Department actions beginning in 2005 and continuing into 2011. As the story is lengthy, I suggest you read at least the Home Page and the "Expanded Details" titled "(2010-2011) U. S. Treasury Action on Signer Complaint," which has a link in the right column of the website. It is that content that I will provide to Congress and national media regarding TIGTA's actions.

I have not furnished copies of this letter to Members of Congress, although I plan to contact them soon to update them on what I have recently learned about TIGTA's actions. You may wish to discuss this matter with Secretary Geithner before he hears it from outsiders. I provide you this letter as a courtesy in case you wish to comment in advance of my further action. If you wish to do so, please respond by August 12, 2011, by e-mail to [don@donsigner.com](mailto:don@donsigner.com), or by phone at 510-██████████ (home) or 510-4██████████ (cell.)

Thank you for your attention to this matter.

Sincerely,

  
Donald R. Signer

Cc: Joseph I. Hungate, III via U. S. mail and e-mail to [joseph.hungate@tigta.treas.gov](mailto:joseph.hungate@tigta.treas.gov)  
Karen Kraushaar via e-mail to [karen.kraushaar@tigta.treas.gov](mailto:karen.kraushaar@tigta.treas.gov)