



**CRAFTON FIREFIGHTERS RELIEF FUND
ALLEGHENY COUNTY
COMPLIANCE AUDIT REPORT
FOR THE PERIOD
JANUARY 1, 2010 TO DECEMBER 31, 2012**

RELEASED JUNE 2014

COMMONWEALTH OF PENNSYLVANIA
EUGENE A. DEPASQUALE - AUDITOR GENERAL
DEPARTMENT OF THE AUDITOR GENERAL



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EUGENE A. DePASQUALE
AUDITOR GENERAL

Mr. David K. Morgan, President
CRAFTON VOLUNTEER FIREFIGHTERS'
RELIEF ASSOCIATION
Allegheny County

We have conducted a compliance audit of the Crafton Volunteer Firefighters' Relief Association pursuant to authority derived from Article VIII, Section 10 of the Constitution of the Commonwealth of Pennsylvania, Section 403 of The Fiscal Code, Act of April 9, 1929, (P.L. 343, No. 176), and mandated by the Volunteer Firefighters' Relief Association Act, as consolidated by the Act of November 23, 2010 (P.L. 1181, No. 118), at 35 Pa.C.S. § 7411 *et seq.*, for the period January 1, 2010 to December 31, 2012.

We conducted this compliance audit in accordance with *Government Auditing Standards* applicable to performance audits, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our audit results and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our audit results and conclusions based on our audit objective.

The objective of the audit was to determine if the volunteer firefighters' relief association received state aid and expended state aid and accumulated relief funds in compliance with applicable state laws, contracts, bylaws and administrative procedures.

Our audit was limited to the areas related to the objective identified above.

Volunteer firefighters' relief association officers are responsible for establishing and maintaining effective internal controls to provide reasonable assurance that the Crafton Volunteer Firefighters' Relief Association's administration of state aid and accumulated relief funds complies with applicable state laws, contracts, bylaws and administrative procedures including the safeguarding of assets. In conducting our audit, we obtained an understanding of the volunteer firefighters' relief association's internal controls as they relate to the association's compliance with those requirements and that we considered to be significant within the context of the audit objective, and assessed whether those significant controls were properly designed and implemented. Our audit procedures also included tests of documentary evidence supporting the Crafton Volunteer Firefighters' Relief Association's recorded financial transactions, tests of the physical existence of inventories, interviews of selected officials and direct confirmation of the Crafton Volunteer Firefighters' Relief Association's cash, investments, and certain other assets and liabilities as of December 31, 2012, with the custodians of the funds, debtors, creditors, and financial institutions to the extent necessary to satisfy the audit objective. Additionally, we performed procedures to provide a reasonable assurance of detecting instances of violations of legal and regulatory requirements or violations of provisions of contracts that are significant within the context of the audit objective.

The results of our audit, for the period January 1, 2010 to December 31, 2012, found the Crafton Volunteer Firefighters' Relief Association did not, in all significant respects, receive state aid and expend state aid and accumulate relief funds in compliance with applicable state laws, contracts, bylaws and administrative procedures, as noted in the findings listed below and discussed later in this report. Therefore, the Crafton Volunteer Firefighters' Relief Association may be subject to the potential withhold of its upcoming state aid distribution, as discussed in the Potential Withhold of State Aid section of this report. The results of our tests also indicated the Crafton Volunteer Firefighters' Relief Association expended funds as presented in the Accompanying Expenditure Information and, as of December 31, 2012, had a cash balance of \$39,946 and no investments.

Finding No. 1 – Undocumented Expenditures

Finding No. 2 – Unauthorized Expenditure

Finding No. 3 – Inadequate Signatory Authority for the Distribution of Funds

Finding No. 4 – Inadequate Minutes of Meetings

However, as a result of an investigation conducted by the Crafton Police Department and Allegheny County Police Department, it was concluded that during the period August 15, 2006 to June 6, 2011, the former fire department and relief association treasurer misappropriated a total of \$143,748 from the Crafton Volunteer Fire Department and in an attempt to cover up the theft, during the current audit period, the former treasurer transferred \$64,386 of relief association funds into an affiliated fire department's account without the proper approval or knowledge of the relief association membership (see Finding No. 1 contained in this report). The results of this investigation led to the filing by the Allegheny County Police Department of a criminal complaint against the former treasurer on January 11, 2012, in which he was charged with multiple counts of forgery, theft, and receiving stolen property. On October 19, 2012, the former treasurer pleaded guilty and was sentenced to two-four month's incarceration, one year house arrest, eight years probation and \$118,386 restitution.

The contents of this report were discussed with the management of the Crafton Volunteer Firefighters' Relief Association and, where appropriate, their responses have been included in the report.

January 6, 2014



EUGENE A. DEPASQUALE
Auditor General

CONTENTS

Background.....	1
Findings and Recommendations:	
Finding No. 1 – Undocumented Expenditures.....	3
Finding No. 2 – Unauthorized Expenditure.....	7
Finding No. 3 – Inadequate Signatory Authority for the Disbursement of Funds.....	9
Finding No. 4 – Inadequate Minutes of Meetings	11
Potential Withhold of State Aid.....	12
Accompanying Expenditure Information	13
Report Distribution List	14

BACKGROUND

Pursuant to Article VIII, Section 10 of the Constitution of the Commonwealth of Pennsylvania, Section 403 of The Fiscal Code, Act of April 9, 1929, (P.L. 343, No. 176), and the Volunteer Firefighters' Relief Association Act, as consolidated by the Act of November 23, 2010, (P.L. 1181, No. 118), at 35 Pa.C.S. § 7411 *et seq.*, the Department of the Auditor General's duty is to audit the accounts and records of every volunteer firefighters' relief association to determine that funds received under the Foreign Fire Insurance Tax Distribution Law, Act of December 18, 1984, (P.L. 1005, No. 205), as amended, 53 P.S. § 895.701 *et seq.* (commonly referred to as Act 205), are properly expended.

The Crafton Firefighters Relief Fund, herein referred to as Crafton Volunteer Firefighters' Relief Association, is a charitable organization that was formed primarily to afford financial protection to volunteer firefighters and to encourage individuals to participate in volunteer fire service.

Act 118 governs the overall operation of the volunteer firefighters' relief association. The relief association's bylaws define the specific operational procedures by which the volunteer firefighters' relief association conducts business. To fulfill its primary purpose, Act 118 authorizes specific types of expenditures and prescribes appropriate volunteer firefighters' relief association investment options. Within the parameters established by Act 118, it is the responsibility of the volunteer firefighters' relief association to choose investments in a proper and prudent manner.

Volunteer firefighters' relief associations receive public tax monies, and the association officers therefore have a responsibility to the public to conduct the association's financial affairs in a businesslike manner and to maintain sufficient financial records to support the propriety of all association transactions. Volunteer firefighters' relief association officers are also responsible for ensuring that the association operates in accordance with applicable state laws, contracts, bylaws and administrative procedures.

Act 205 sets forth the computation of the Foreign Fire Insurance Tax Distribution paid to each applicable municipality throughout the Commonwealth of Pennsylvania. The amount of the distribution is based upon the population of each municipality and the market value of real estate within the municipality. Upon receipt of this distribution, the municipality must allocate the funds to the volunteer firefighters' relief association of the fire service organization or fire service organizations, which is or are recognized as providing the service to the municipality.

BACKGROUND (Continued)

The Crafton Volunteer Firefighters' Relief Association was allocated state aid from the following municipalities:

<u>Municipality</u>	<u>County</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>
Crafton Borough	Allegheny	\$36,162	\$50,981	\$28,872
Rosslyn Farms Borough	Allegheny	\$ 4,617	\$ 6,660	\$ 3,773
Thornburg Borough	Allegheny	\$ 4,507	\$ 6,623	\$ 3,671

The volunteer firefighters' relief association and the affiliated fire service organization are separate, legal entities. The Crafton Volunteer Firefighters' Relief Association is affiliated with the following fire service organization:

Crafton Volunteer Fire Department

CRAFTON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION
FINDINGS AND RECOMMENDATIONS

Finding No. 1 – Undocumented Expenditures

Condition: The relief association was unable to provide adequate supporting documentation for the following disbursements made during the current audit period:

Date	Check No.	Description	Amount
01/19/10	1027	Transfer to Crafton VFD account	\$ 3,500
01/22/10	EFT	Online transfer to VFD account	400
01/27/10	1028	Transfer to Crafton VFD account	1,200
02/26/10	1029	Transfer to Crafton VFD account	4,500
03/11/10	642	Transfer to Crafton VFD account	3,000
03/12/10	EFT	Online transfer to VFD account	60
04/02/10	623	Transfer to Crafton VFD account	7,000
04/19/10	EFT	Online transfer to VFD account	62
04/22/10	EFT	Online transfer to VFD account	1,100
09/29/10	627	Transfer to Crafton VFD account	1,000
10/18/10	1031	Transfer to Crafton VFD account	9,271
10/29/10	1032	Transfer to Crafton VFD account	4,163
11/08/10	1033	Transfer to Crafton VFD account	5,800
11/24/10	1035	Transfer to Crafton VFD account	6,497
12/04/10	1037	Transfer to Crafton VFD account	3,500
01/12/11	1048	Transfer to Crafton VFD account	2,965
01/31/11	1042	Transfer to Crafton VFD account	6,500
02/17/11	1045	Transfer to Crafton VFD account	500
02/28/11	1050	Transfer to Crafton VFD account	1,500
03/31/11	1055	Transfer to Crafton VFD account	1,300
03/31/11	628	Transfer to Crafton VFD account	90
03/31/11	2010	Transfer to Crafton VFD account	478
Total undocumented transfers			\$64,386

CRAFTON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION
FINDINGS AND RECOMMENDATIONS

Finding No. 1 – (Continued)

03/05/10	295	Payment to vendor	639
03/25/10	4760	Payment to vendor	414
04/24/10	624	Payment to community college	360
05/02/10	625	Payment to vendor	125
05/18/10	626	Payment to member	179
11/23/10	1034	Payment to vendor	208
12/01/10	1036	Payment to vendor	175
02/18/11	1046	Payment to vendor	1366
01/29/11	1049	Payment to vendor	68
01/08/11	1043	Payment to vendor	100
01/08/11	1044	Payment to vendor	10
02/15/11	1051	Payment to vendor	68
			<hr/>
		Total undocumented payments to vendors	3,712
			<hr/>
		Total undocumented expenditures	\$68,098
			<hr/> <hr/>

As a result of an investigation conducted by the Crafton Police Department and Allegheny County Police Department, it was concluded that during the period August 15, 2006 to June 6, 2011, the former fire department and relief association treasurer misappropriated a total of \$143,748 from the Crafton Volunteer Fire Department by forging and depositing 113 fire department checks and transferring funds electronically without authorization into a bank account for his own personal benefit. In an attempt to cover up the theft of the affiliated fire department funds, during the current audit period, the former treasurer transferred \$64,386 of relief association funds into an affiliated fire department's account without the proper approval or knowledge of the relief association membership. There were nine relief association checks that contained only the signature of the former Treasurer and other checks in which a rubber stamp was used as a second signature without the knowledge of the relief association officer, as discussed further in Finding No. 3 in the Findings and Recommendations section of this report. The remaining \$3,712 of current audit period relief association undocumented expenditures consist of twelve checks written to vendors not supported by documentation, such as invoices.

The results of this investigation led to the filing by the Allegheny County Police Department of a criminal complaint against the former treasurer on January 11, 2012, in which he was charged with multiple counts of forgery, theft, and receiving stolen property. On October 19, 2012, the former treasurer pleaded guilty and was sentenced to two-four month's incarceration, one year house arrest, eight years probation and \$118,386 restitution.

CRAFTON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION
FINDINGS AND RECOMMENDATIONS

Finding No. 1 – (Continued)

Criteria: Act 118 at 35 Pa.C.S. § 7418(a) states:

The Office of Auditor General shall have the power and its duty shall be to audit the accounts and records of every volunteer firefighters' relief association receiving money under Chapter 7 of the Act of December 18, 1984 (P.L. 1005, No. 205), [FN1] known as the Municipal Pension Plan Funding Standard and Recovery Act, as far as may be necessary to satisfy the Auditor General that the money received was or is being expended for no purpose other than that authorized by this subchapter. Copies of all audits shall be furnished to the Governor.

Without adequate supporting documentation, such as invoices and proper approval in detailed meeting minutes, this department is unable to determine whether relief association funds were expended for purposes authorized by Act 118. Furthermore, prudent business practice dictates that supporting documentation be maintained to evidence the propriety of all financial transactions.

Cause: Relief association officials failed to establish adequate internal control procedures to ensure supporting documentation is maintained for all expenditures.

Effect: Lack of supporting documentation, such as invoices and proper approval and detailed meeting minutes, made it impossible to determine if the expenditures were made in accordance with Act 118 at 35 Pa.C.S. § 7416(f). Furthermore, the failure to maintain adequate supporting documentation for relief association expenditures can lead to an increased risk of errors occurring and funds being misappropriated. Finally, as a result of these undocumented expenditures, the relief association may be subject to a potential withholding of its state aid, as detailed on page 11 of this report.

Recommendation: We recommend the relief association provide this department with adequate supporting documentation, such as invoices or proper approval in detailed meeting minutes, to ensure the validity of the expenditures or that the relief association be reimbursed the remaining \$42,443 for the undocumented expenditures. We also recommend that the relief association officials maintain supporting documentation for all future expenditures. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

CRAFTON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION
FINDINGS AND RECOMMENDATIONS

Finding No. 1 – (Continued)

Management's Response: Relief association management agreed with the finding as presented at the audit exit conference and subsequent to the audit period, on April 24, 2013, the relief association received and deposited a \$25,655 payment from their Surety (Fidelity) insurance company for the fraudulent expenditures. The remaining undocumented expenditures balance is \$42,443.

Auditor's Conclusion: Based on the management response, it appears that the relief association has partially complied with our finding recommendation. Compliance with the remainder of the recommendation above will be subject to verification in our next audit.

CRAFTON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION
FINDINGS AND RECOMMENDATIONS

Finding No. 2 – Unauthorized Expenditure

Condition: The relief association expended \$1,302 for an affiliated fire department's 2010 commercial insurance policy during the current audit period which is not authorized by Act 118.

Criteria: Act 118 at 35 Pa.C.S. § 7416(f)(2,4,8, and12) states:

The funds of any volunteer firefighters' relief association may be spent:

- (2) To purchase contracts of insurance which, at a minimum, shall afford financial assistance to active members of the fire service represented by the association against losses due to injury suffered in the fire service and may also provide, in the order named: (i) for payments to the surviving spouse or other dependents of a member in the event of the member's death; (ii) for protection of active firefighters against disease; (iii) for replacement or purchase of prosthetic devices such as visual aids, hearing aids, dentures, braces, crutches and the like, where those devices have been lost or damaged while the owner was engaged in the fire service or where the need for those devices arose because of functional impairment attributable to participation in the fire service; (iv) for repair or replacement, if necessary, of articles of clothing or pocket pagers damaged or lost in the course of participation in the fire service; and (v) for disability incurred after service for a minimum of 20 years as a volunteer firefighter.
- (4) To pay in full or in part for damage or loss in any of the categories mentioned in paragraph (2) in a specific case where: (i) no policy of insurance is in force covering the risk; or (ii) the amount payable under insurance policies in force is inadequate to cover the loss.
- (8) To contribute to or to purchase contracts of insurance which will contribute to the cost of rehabilitating and retraining volunteer firefighters who, by reason of their participation in the fire service, have suffered a major impairment of the ability to continue their vocation.
- (12) To secure insurance against legal liability of the volunteer firefighters for loss and expense from claims arising out of performance of official and authorized duties while going to, returning from or attending fires or performing their duties as special fire police.

CRAFTON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION
FINDINGS AND RECOMMENDATIONS

Finding No. 2 – (Continued)

Costs associated with the purchase of an affiliated fire department's commercial insurance package do not qualify as an authorized volunteer firefighters' relief association expenditure; consequently, this disbursement is not authorized under Act 118.

Cause: Relief association officials were unaware that the expenditure for the affiliated fire department's commercial insurance policy was not authorized by Act 118.

Effect: As a result of this improper expenditure, relief association funds were not available for investment purposes or to pay for expenditures authorized by Act 118.

Recommendation: We recommend the relief association be reimbursed \$1,302 for the unauthorized expenditure and that relief association officials become familiar with Act 118 at 35 Pa.C.S. § 7416(f) to aid them in determining the propriety of future expenditures. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Management's Response: Relief association management agreed with the finding as presented at the audit exit conference and indicated they will take action to comply with the recommendation.

Auditor's Conclusion: Compliance will be subject to verification in our next audit.

CRAFTON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION
FINDINGS AND RECOMMENDATIONS

Finding No. 3 – Inadequate Signatory Authority for the Disbursement of Funds

Condition: During the current audit engagement, we identified nine checks out of 70 checks drawn on the relief association's checking account that only contained the signature of one officer, although two signatures are required, pursuant to Act 118 and the relief association bylaws. Furthermore, we identified checks in which a rubber stamp was used by the former treasurer to imprint another relief association officer's signature without his knowledge. Issuing checks with the signature of only one officer and using a rubber stamp as a signature without an officer's knowledge negates the relief association's internal control over the disbursement process.

Criteria: Act 118 at 35 Pa.C.S. § 7415(c)(3) states, in part:

The bylaws shall require that the signatures of at least two officers, one of whom shall be the disbursing officer, shall be required to bind the association by formal contract or to issue a negotiable instrument.

In addition, Article IX, Section 1, of the relief association's bylaws states:

The signatures of at least two officers, one of whom shall be the Treasurer, shall be required for the issuance of Relief Association checks, withdrawal from the Association savings account, redemption of any Relief Association investment, or on any other negotiable instrument issued by the Association.

Furthermore, prudent business practice dictates that the relief association has sufficient internal control procedures in place to ensure the signatures of at least two relief association officials are included on all negotiable instruments. Adequate internal control procedures require that checks be signed only after the propriety of the expenditures have been determined and the payee, date, and amount to be paid has been confirmed. Additionally, responsible relief association officers should compare this information with supporting documentation, such as invoices, contract, etc., prior to approving the checks.

Cause: Relief association officials neglected to establish adequate internal control procedures which require the signatures of at least two officers on all negotiable instruments.

CRAFTON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION

Finding No. 3 – (Continued)

Effect: As a result of the relief association officer issuing checks with only one signature, assets were placed at greater risk as expenditures were being made without a second relief association officer having the opportunity to verify the propriety of the expenditures. The application of the second signature, after evaluating the propriety of the expenditure, reduces the risk for errors occurring and going undetected, and reduces the risk of misappropriation.

Recommendation: We recommend the relief association officials establish adequate internal control procedures to ensure that the signatures of at least two officers, one of whom shall be the treasurer, are included on all relief association negotiable instruments as defined by Act 118. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Management's Response: Relief association management agreed with the finding as presented at the audit exit conference and indicated they will take action to comply with the recommendation.

Auditor's Conclusion: Compliance will be subject to verification in our next audit.

CRAFTON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION
FINDINGS AND RECOMMENDATIONS

Finding No. 4 – Inadequate Minutes of Meetings

Condition: The relief association failed to maintain detailed minutes of meetings as required by Act 118. Specifically, the relief association's minutes did not address all of the financial-related transactions that occurred during the audit period.

Criteria: Act 118 at 35 Pa.C.S. § 7415(a) states, in part, that the relief association:

. . . must provide for taking and preserving minutes of all meetings and maintenance of such books of account as may be necessary and appropriate to afford a permanent record of its fiscal affairs.

Cause: Relief association officials were unaware that maintaining detailed minutes of meetings was required by Act 118.

Effect: Without detailed minutes of meetings, evidence that relief association business was presented before the membership for approval does not exist. Furthermore, as a result of the relief association's inadequate minutes of meetings, the relief association is subject to potential withhold of its state aid, as detailed on page 11 of this report.

Recommendation: We recommend the relief association maintain detailed minutes of meetings, evidencing the discussion and approval of all financial-related business conducted by the relief association. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Management's Response: Relief association management agreed with the finding as presented at the audit exit conference and indicated they will take action to comply with the recommendation.

CRAFTON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION
POTENTIAL WITHHOLD OF STATE AID

A condition such as that reported in Finding No. 1 contained in this report may lead to a total withholding of state aid in the future unless those findings are corrected. However, such action will not be considered if sufficient documentation is provided within 60 days to verify compliance with this department's recommendations. Such documentation should be submitted by the volunteer firefighters' relief association to: Department of the Auditor General, Bureau of Firefighters' Relief Association Audits, Room 316-D Finance Building, Harrisburg, PA 17120.

CRAFTON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION
 ACCOMPANYING EXPENDITURE INFORMATION
 FOR THE PERIOD JANUARY 1, 2010 TO DECEMBER 31, 2012

Act 118 at 35 Pa.C.S. § 7412 states: a volunteer firefighters' relief association is an organization formed primarily for the purpose of affording financial protection to volunteer firefighters against the consequences of misfortune suffered as a result of their participation in the fire service. The organization may contain within its membership the members of one or more fire companies and may serve secondary purposes, as set forth in this subchapter, but only if adequate provisions have been first made to serve the primary purpose.

Act 118 at 35 Pa.C.S. § 7416 authorizes the investment of relief association funds and outlines the types of benefits and services that can be provided with volunteer firefighters' relief association funds.

Furthermore, all expenditures must be properly authorized as prescribed in the volunteer firefighters' relief association bylaws and approved at an association meeting.

USES OF FUNDS:

Benefit Services:	
Insurance premiums	\$ 56,374
Fire Services:	
Equipment purchased	\$ 7,192
Equipment maintenance	4,849
Training expenses	963
Fire prevention materials	20,000
Total Fire Services	\$ 33,004
Administrative Services:	
Miscellaneous administrative expenses	\$ 2,273
Other Expenditures:	
Principal payments on loan	\$ 17,503
Undocumented expenditures	68,098
Total Other Expenditures	\$ 85,601

CRAFTON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION
REPORT DISTRIBUTION LIST

This report was initially distributed to the following:

The Honorable Tom Corbett
Governor
Commonwealth of Pennsylvania

Crafton Volunteer Firefighters' Relief Association Governing Body:

Mr. David K. Morgan	President
Mr. Greg Laepple	Vice President
Mr. Jack Stewart	Secretary
Mr. James G. Bloom	Treasurer

The following municipalities allocated foreign fire insurance tax monies to this relief association and received a copy of this report.

Ms. Mary Tremblay, Secretary
Crafton Borough

Mr. Samuel Maccarone, Secretary
Rosslyn Farms Borough

Ms. Dorothy S. Falk, Secretary
Thornburg Borough

This report is a matter of public record and is available online at www.auditorgen.state.pa.us. Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 231 Finance Building, Harrisburg, PA 17120; via email to: news@auditorgen.state.pa.us.