



COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF THE GOVERNOR  
HARRISBURG

May 7, 2024

**Via Electronic Transmission to < [dmaloney@pahousegop.com](mailto:dmaloney@pahousegop.com) >**

Representative David M. Maloney, Sr.

Room 7, East Wing, P.O. Box 202130

Harrisburg, PA 17120

**Re: Right-to-Know Law Request - dated April 16, 2024**  
**Internal No. C-2024-049**

Dear Representative Maloney:

On April 16, 2024, the Office of the Governor (Office) received your request for information pursuant to the Pennsylvania Right-To-Know Law, 65 P.S. §§ 67.101, et seq. (RTKL), wherein you requested:

**“Communications to, from, or on behalf of Bryan Burhans regarding his supplemental employment approval or request for approval from March 1, 2017 to April 16, 2024.”**

By letter dated April 23, 2024, this Office informed you that it would require an extension of time, until no later than May 24, 2024, to review your request.

After review, the Office has searched its records, and does not have any requested records in its possession, under its custody or its control. 65 P.S. § 67.705. In responding to requests for access to public records, an agency is not required to “create a record which does not currently exist at the time a request is received.” 65 P.S. § 67.705. An agency is also not required to produce records that are not in its possession, or within its custody or under its control. Please note that “[i]t is not a denial of access when an agency does not possess records and there is no legal obligation to obtain them (*see, e.g.* section 67.506(d)(1)).” *See, In the Matter of Jenkins v. Pennsylvania Dep’t of State*, OOR Dkt. AP 2009-065, dated April 2, 2009.

Please note that the Pennsylvania Game Commission is an independent Agency, and not within the jurisdiction of the Office of the Governor. As such, the Office of the Governor does not maintain Supplemental Employment requests relating to Pennsylvania Game Commission employees. However, the Pennsylvania Game Commission may possess the records you seek. In this case, the Game Commission may possess responsive records.

Their open records officer can be contacted at:

Open Records Officer  
PA Game Commission  
2001 Elmerton Avenue  
Harrisburg, PA 17110  
Fax 717-772-0502  
Email - [pgcrtk@pa.gov](mailto:pgcrtk@pa.gov)