



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

September 14, 1988

Mr. Bryan M. Perot
Executive Officer
Polygraph Examiners Board
P. O. Box 4087
Austin, Texas 78773-0001

LO-88-105

Dear Mr. Perot:

Thank you for your letter of August 31, 1988, regarding the Employee Polygraph Protection Act of 1988.

Although you do not state what constitutional provision you believe the act violates, your letter indicates that you believe Congress has attempted to regulate in an area in which it has no authority. The act applies only to employers "engaged in or affecting commerce or in the production of goods for commerce." We do not think a serious challenge can be made to Congress's authority to enact labor regulations in that area.

Very truly yours,

A handwritten signature in cursive script that reads "Sarah Woelk".

Sarah Woelk
Chief, Letter Opinion Section
Opinion Committee

SW/bc

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