

nondiscrimination ordinance, and the department had a written policy against sexual harassment, although it did not expressly protect against discrimination based on sexual orientation.

So Officer Nave has filed two separate legal complaints against his former employer. Those complaints are still pending.

If there was one Federal law protecting all Americans from discrimination instead of a patchwork of ineffective and inefficient State and local laws, it would be simpler and less confusing for businesses and employees alike. That is one reason more than 100 of the Nation's largest companies support the Employment Non-Discrimination Act and why most Fortune 500 companies already prohibit persecution based on sexual orientation or gender identity. These companies know that to recruit the best and brightest employees and remain competitive, they must foster an environment where all workers can reach their full potential.

Not only is Speaker BOEHNER's claim that ENDA would hurt business untrue, it is also callous. It fails to take into account the heartbreaking suffering—not to mention lost wages and productivity—that workplace discrimination causes every year.

When Kile Nave was hired by the Audubon Police Department, he already served 20 years—two decades—as a police officer with other departments. This is what Kile said yesterday:

I've been a law enforcement officer since 1989 and I had never experienced anything like what I experienced with my previous employer. . . . But I wasn't going to let them push me out of a job I loved.

So for 3½ years Kile endured torture at the hands of two of his supervisors, including the chief and the deputy chief. Although coworkers described Officer Nave's on-the-job performance as exemplary, his supervisors called him derogatory names, told gay jokes in front of him and about him, and directed profanity-laced rants toward him. This is the chief and the assistant chief.

This is what Officer Nave remembers about trying to get through the ordeal:

Each day I kept thinking, 'It's going to get better today.' But it didn't. As a police officer you're supposed to have thick skin. But it never got any better.

Then, last year, 2 weeks after Officer Nave filed a formal complaint with his chief, he was fired based on charges of insubordination—somebody who had basically been a police officer for one-quarter of a century.

For the first time since he was 16 years old, Kile Nave was unemployed, as he is right now. He is still unemployed. Although Kile would love to return to police work and to doing the job he loves—and he did it for a long time—no department will hire him with a termination on his resume.

With one simple Federal law in place, which is the ENDA bill, people such as Kile could go to work without fearing

such torment—and it was torment. Every American deserves that right and that protection. Every employee deserves to be judged on the quality of his or her work instead of on their sexual orientation or gender identity.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### RIGHT-TO-WORK

Mr. MCCONNELL. Mr. President, almost 1 year ago now, Michigan's Governor Rick Snyder signed historic right-to-work legislation into law. At the time he said he viewed it "as an opportunity to stand up for Michigan's workers, to be pro-worker."

The union bosses, the entrenched special interests, and the professional left may have stood in united, militant disagreement, but Michigan's soft-spoken Governor was right. The more venom Big Labor directed at him, the more it seemed to confirm the suspicions of many of the middle-class workers Snyder was trying to help. He was, in fact, on their side.

The truth is, over the years, Big Labor has come to care more about its own perks and power than the workers it was charged with protecting. Snyder knew that and he knew it was time to tip the scales back in favor of workers. He is not alone.

In the Senate, Senator PAUL and I share Governor Snyder's commitment to helping restore worker rights. That is why yesterday we filed an amendment that would enact similar forward-looking reforms at the Federal level.

Our right-to-work amendment is simple enough. It merely calls for repealing the discriminatory clauses in Federal law that allow, as a condition of employment, forcing workers to join a union or forcing workers to pay union dues. In practical terms, here is what that would mean for middle-class folks in Kentucky and across America: If you want to join a union, you can. If you don't want to join a union, you don't have to. That is it. That is all this is about.

This is just common sense. It is basic fairness. According to one survey, about 80 percent of unionized workers agree that employees should be able to decide whether joining a union is for them. But this amendment isn't just about ending institutional discrimination against workers; it is also about job creation, economic growth, and making America more competitive in the 21st century.

Consider the fact that manufacturing employment is one-third higher in States with right-to-work laws or that, according to a recent study, States with right-to-work saw improvements in real personal income and average annual employment compared to what they would have seen without such laws or that many of our Nation's labor

laws were passed in an earlier era, in some cases before many folks even had television sets.

America's labor regulations are antiquated and they need to be updated for the modern world. That is what the flextime legislation I introduced last week sought to achieve, and that is what right-to-work seeks to achieve as well.

Protecting the rights of workers, creating jobs, growing the economy, and keeping pace with the modern world is what right-to-work is all about. It is just common sense. If States such as Michigan, with proud traditions of organized labor, can look their problems in the face and act, then it is time for the Federal Government to act too.

I urge my colleagues to join Senator PAUL and me in supporting this important amendment.

#### OBAMACARE

Mr. MCCONNELL. Mr. President, I wish to say a word about ObamaCare as well.

I wish to remind my colleagues that the President is absolutely correct. He is correct when he says ObamaCare is about so much more than some flawed Web site. It is about people. People such as the California woman with stage 4 gallbladder cancer whose story we read about in the Wall Street Journal just this past weekend. I will read some of what she wrote:

I am a determined fighter and extremely lucky. But this luck may have just run out: My affordable, lifesaving medical insurance policy has been canceled effective December 31.

Here are the impossible choices she says she is left with. She can either get coverage through the exchange and lose access to her cancer doctors or she can pay up to 50 percent more for, as she put it, "the privilege of starting over with an unfamiliar insurance company and impaired benefits."

That is just not right. It is not what the President promised, and it is not the kind of health care reform Americans asked for.

So we should keep our focus where it belongs—on the real people getting hurt by this law.

But that doesn't mean we should stop asking questions about healthcare.gov too. Because if the government can't even run a Web site that it had 3 years—3 years—and hundreds of millions of dollars to create, can Americans entrust the same bureaucracy with even more power over their health care?

The calamitous rollout reminds us that we do not even know if data being submitted over this Web site is 100 percent secure. In today's age of digital scammers, that is a real concern for our constituents. Identity theft is about the last problem Americans need to be dealing with right now, especially with everything else this economy and this law have been throwing right at them. They are already mad enough