

**Written Testimony
of Ron Wallen**

Before the Committee on the Judiciary
United States Senate

For the Hearing

“S. 598, The Respect for Marriage Act:
Assessing the Impact of DOMA on
American Families”

July 20, 2011

Thank you, Chairman Leahy, and members of the Senate Judiciary Committee, for inviting me to testify at this important hearing today. I want to especially thank my Senator, Senator Feinstein, for introducing the Respect for Marriage Act. I am humbled and honored and appreciate the opportunity to tell you my story.

My name is Ron Wallen. I am 77 years old and I live in Indio, California.

Four months ago, my husband and partner of 58 years, Tom Carrollo, died of leukemia. Tom and I first met way back in 1953 when Tom was 23 and I was 19. We were properly introduced, and had an old-fashioned courtship. And even though it sounds corny in this day and age, Tom was the one and only man in my life. And, from the first day, we enjoyed a sense of togetherness, which never weakened in both good times and bad.

When we first got together in the 1950s, we faced some difficult challenges; in those days we could easily lose our jobs if people at work knew we were gay. This was certainly the case when we held jobs with security clearances.

Tom served in the U.S. Navy during the very first combat engagement of the Korean War and I later served in the Army for two years. That service represented the only time in our 58 years that Tom and I were really apart for any significant period of time. We were proud to serve our country when called.

In 1978, on our 25th anniversary, Tom suffered a massive heart attack, and his doctor told us that he had to retire from work in order to survive beyond that year. He was only 47 years old. We were just entering the good earning years of our lives, but when faced with that kind of verdict, you do what you have to do.

We left our businesses, and moved to Mexico, and then Florida, where we lived for 14 years. We carefully invested our savings (which became severely depleted during the financial crisis), and we did a lot of volunteer work -- especially at an AIDS service organization during the early years of the AIDS crisis.

We later relocated to the Palm Springs area, near our three nieces. We have always been very close to our nieces and nephews – I was “Uncle Ron” to Tom’s nieces and nephew and he was “Uncle Tom” to my nieces.

In 2005, we bought a home in Indio, California, where we enjoyed many gatherings with friends and family. Tom was a great cook, and our joy in life was hosting small dinner parties at our wonderful home. Our lives were filled with spending time together and with friends and family. And that was pretty much our life together until his last illness.

A very important day for us was June 24, 2008, after the California Supreme Court ruled that same-sex couples could marry in California. We were among the 18,000 lucky couples given the opportunity to stand before family and friends and marry the one person they loved above all others. It was glorious. It was wonderful – a day of pure joy! We shared our marriage with our family and friends—including our beloved friend Annie, who was 82 years old when she stood up for us on our wedding day.

Despite over 50 years together, marriage was that *something* that had been missing all through those years together—the opportunity to stand before our peers and families and the rest of society and make a public vow of the commitment and devotion we had shared for so long. And as longstanding as our love for each other was, we were nevertheless

taken by surprise by the amount of emotion that came to us when the words “by the power vested in me by the State of California, I now pronounce you married for life” were spoken. Imagine, after 55 years together, the two of us were blubbering on our wedding day.

We all know that part of the marriage vow is “in sickness and in health” -- and even at our wedding we were already facing the worst because Tom had been diagnosed with lymphoma, which later morphed into leukemia. And, knowing the handwriting on the wall, I threw a party for Tom’s 80th birthday. It was the last time we had both of our families and all of our friends together, celebrating with us. That was a wonderful day.

Tom’s illness was four years of pure hell, with more hospitalizations than I can count using both hands and feet. I was up day and night trying to make things easier and more comfortable for him; and not a month went by that I was not rushing him to the emergency room. But, like any other married couple facing troubles, we were in it together. Tom didn’t have leukemia, **we had leukemia!** And as rotten as those four years were, they were made ever so much easier because we had each other for comfort and love, *and because we were married.*

Tom died four months ago on March 8, and I miss him terribly. At times it is hard to imagine how life will go on without him. I wake up in the morning, and forget for a minute, that he is not in the kitchen making coffee. And beyond the emptiness caused by the loss of the man I have spent my entire adult life with, my life has also been thrown into financial turmoil, because of DOMA.

Like a lot of retirees, we took a big financial hit in the stock market these past couple of years. But between Tom’s social security benefit of \$1,850, his small private pension of about \$300, and my social security check, which was \$902, we had a combined **steady** monthly income of \$3,050, which covered our mortgage, and other basic costs of keeping a roof over our heads. The rest of our living expenses were covered by the income from our diminished investments - not sumptuous, but enough.

As you know, for married couples in this country, Social Security allows a widow or widower to either claim their own benefit -- or the benefit amount of their deceased spouse, if that was higher. That Survivor’s Benefit is often what allows the widow or widower to stay in their family home, at a very difficult time. But DOMA says that gay and lesbian couples—including those like us who were legally married—cannot get that same treatment from Social Security.

Knowing this, I still went to the Social Security office a week after Tom’s funeral to apply for his benefit. I was immediately told that I would not qualify for Tom’s benefit, due to the Defense of Marriage Act. It took 4 months to receive a letter from the Social Security Administration, after I prodded them multiple times.

With this rejection of Tom’s benefits, my reliable income went from \$3,050 a month, down to \$900 per month. To pay the mortgage and taxes each month on my home is \$2078. By spending some of our savings, I could have stayed there longer while planning next steps for my future. But you don’t have to be an accountant to see that from the first day after Tom passed away, I have had to worry about how I could pay that mortgage and

support myself.

You may be thinking that lots of widows and widowers downsize, and make adjustments, after the loss of their spouse. Downsizing is one thing, but panic sale of a home which is underwater, is another. That is my current reality. I am selling the last house I shared with my husband in a panic sale because I can't afford the mortgage and expenses. I am spending my days and nights sorting through our possessions, packing boxes to move -- even while I am still answering the condolence cards that come in the mail.

The Survivor's Benefit would have done for me what it does for every other surviving spouse in America -- ease the pain of the loss, help during a very difficult transition, and allow time to make decisions and plan for my future alone. It is devastating to know that any married couple in the U.S. regardless of how long they were married, can depend on the Survivor's Benefit. Yet, I could not --after 58 years with my spouse-- simply because we were two married men. This is unfair and unjust.

In the end, without the Survivor's Benefit, I am forced to sell our home and find a new place for all the wonderful things that are the touchstones of our 58 years of togetherness. As you know, the real estate market is in a shambles right now -- and that is especially true around Palm Springs. I am selling our home at a terrible loss and I have already lowered the price substantially twice. I have had very few lookers, and no serious buyers.

After a lifetime of being a productive citizen, I am now facing financial chaos. Tom and I worked hard, and together we tried to live out our own version of the American dream. We served our country; we paid our taxes; we volunteered in the community; we bought a home and maintained it properly; and got married as soon as we were legally able to do so. And yet, as I face a future alone without my spouse of 58 years, it is hard to believe that it is the American government that is throwing me out of my family home.

There is an easy fix to the problem and that is repealing DOMA. This is a discriminatory law against women and men like me who share our love and commitment with a partner of the same sex. All we ask is to be treated fairly, just like other loving and committed married couples. I beg you to repeal this law and allow all married couples the same protections.

Thank you again for inviting me to testify today and I will be happy to answer any questions you may have.