

March 11, 2009

Your Honor,

I stand before you today remorseful, ashamed but yet wiser and hopeful. During my plea hearing in December you said that I was stupid for putting myself in the current predicament. Your honor, I could not agree more. My actions were inexcusable.

While I worked at the Center for a Free Cuba, an organization with a cause that means a great deal to me personally and professionally, I was tasked with procuring shortwave radios and other equipment to be shipped to Cuba in support of USAID's programs to strengthen civil society on the island. For two years I fulfilled this task properly, but as you know beginning in early 2005, without the knowledge of the Center's staff or its directors, I bought bulk shipments of radios from the cheapest vendor through two companies that I created and controlled. I then resold the equipment to the Center at a higher price than I paid for it, making myself a de facto middle man and keeping the profits, which I used for personal expenditures.

At the time that I began the illegal activities, I and everyone else at the Center believed that the Center was prohibited by USAID regulations from purchasing equipment from a non-American supplier. It was our understanding that equipment could be manufactured abroad but could not be imported directly by the Center. Before I began to supply the Center with equipment, they would purchase the equipment from a distributor in California who imported the equipment from China. It was this regulation that, in my mind, justified my activities. I believed that because I could purchase the equipment at a lower price than I believed the Center could legally purchase it, I could personally take the profit from the lower prices of Chinese manufactured equipment that the Center could not have legally purchased itself. In addition, I provided equipment of equal quality, many times from the same manufacturer, at a price no greater than the price the Center had paid previously and the total expenditure by them for equipment continued to fall within its budgeted amount for such equipment.

As part of this investigation, in mid-2008 USAID investigators provided me a copy of a memorandum dated April 21, 2005 rescinding this prohibition, but I had never seen or heard of the memo or the lifting of the restriction. I know that no one else at the Center knew that the restriction had been lifted. While I attempted to justify my activities to myself, nevertheless, I recognized then, and now, that what I did was wrong and I took steps to hide my actions from the Center. Though the Center always received the radios and other equipment it ordered at a price and quality equal to previous purchases, it was my obligation to get the best price I could for the equipment and pass it along to the center without making any personal profit.

Following the discovery of irregularities at the Center, I retained legal counsel and began to cooperate with the Center. In February 2008, before any government investigation had begun, I met with the Center's attorneys, answered questions relating to the offense and explained to them the entire scheme in full detail. I provided bank statements, receipts, credit card statements, copies of receipts, invoices, and checks. By early March I had already verbally committed to making full restitution. By August 22, 2008 full restitution had been made with 6% interest.

Many people have asked me why I committed the offense. My answer unfortunately is based on greed and selfishness. In November 2003 my family and I moved into a home in Frederick, MD. The home cost us \$330,000 with monthly payments in excess of \$3,500 per month. Based on our income and student loan debt we should not have qualified for the loan, and by purchasing our home we overextended ourselves financially. Between 2003 and 2005 when I began the offense, I used student loans to help make ends meet and pay for our house. In 2005, I graduated law school and had to begin to repay my student loans. I also had to continue paying for my home, living expenses and medical bills. All these obligations were major factors in my judgment and in me committing the offense. In fact, a large part of the funds obtained during the offense were used for these expenditures. My family and I were living well above our means: we were living in a nice home with two cars; we sent our son to private school; we purchased musical instruments; made up-grades to our house; and purchased a vacant lot in New York planning to one day build a vacation home on it. I felt a need and an obligation to provide for my family and did not want to disappoint them. However, because I violated my own integrity and the values that my parents instilled in me as a child, I disappointed them more than I could ever imagine. I provided my attorney with a list of the items I purchased with the proceeds of my offense and that list appears in our Memorandum in Aid of Sentencing.

I am sure many defendants stand before you and tell you that they have learned their lesson, that they will never again break the law. Your honor, I have learned many lessons from this ordeal and have faced many consequences thus far. The harshest of all has been the embarrassment, humiliation, and disappointment that I have caused my family. However, even in this dark hour, I am blessed. I have a loving supporting family and a network of friends, neighbors, and former colleagues, who have attested to my character and have been supportive beyond all imagination.

With all the support and affection that I have received it seems unfair that my wife and son may be deprived of my support. They have always been my motivation and inspiration. My wife and I have been together since we were teenagers. She has been always been ill. But a few years ago her condition worsened. She was forced to abandon her dream of becoming a nurse with only one semester of school remaining. She is frequently hospitalized and has even undergone chemotherapy infusions. Now on top of all that, because of my wrong doing, she has lost her home, her car, and most of her assets. I have humiliated and embarrassed her and have jeopardized her future. I am afraid that if I am not there to support her, care for her, and provide for her that her situation will become dire indeed. Losing material possessions is difficult to overcome, but nothing compared to losing a loved one for any period of time. My wife is a strong independent minded woman. I love her with all my heart and know that she would find a way to overcome anything and move on. But the cost to her emotional and physical well-being would be overwhelming.

My son and I are very close. I have coached his soccer team, his track and field team; I have been a Cub Scout and Boy Scout leader for many years. We have gone hunting, fishing, and camping together. We have gone to football games, NASCAR races, and to church together. It is safe to say that we have enjoyed the strong bond of a father and son. That is a lesson that I

learned early in life from my father and it is something that I will make sure my son understands. Family values are paramount.

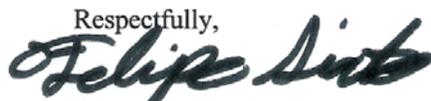
Since we moved back to Florida because of the offense, we have been engaged in family counseling. My son has expressed many of his emotions and feelings about my offense and my pending hearing. He has told me that he is nervous about your decision, he is sad that I may go away, and he is sometimes angry with me for making my mistakes and making him lose his home and many of his belongings and leave his school and friends in Maryland. Those are all difficult things to swallow as a father; however the hardest and most difficult consequence from this ordeal, the lesson that I will take with me to my grave, is the disappointment and shame that I have caused my son. Before this ordeal I was flawless in his eyes. I was a superhero, a celebrity, a role model.

It will take me time to rebuild those visions. But I have assured him that although I made a serious mistake which hurt many people, I am still an honorable man. I told him how I have accepted full responsibility, made restitution, and have issued public and private apologies. If I can teach my son some lessons from this ordeal they are that being honorable, respecting the law and accepting responsibility is important. I pray that I will be able to continue being a role model for my son without interruption.

Your honor, as a law school graduate I should have known better. As a human rights activist dedicated to the promotion of democracy in Cuba I should have had better judgment. As a family man I should have thought of the consequence of my actions and should never have put my family in danger. I understand this. I understand that I was stupid and selfish. Words will never express my remorse for my actions and the consequences they have caused, not to me but to the victims which include my family.

Your honor, I plead for you to consider a variance from the sentencing guidelines. If you determine that probation is not warranted, then I beg for a minimum period of incarceration, to be served with home confinement so that I can take care of my family. I plan to work hard and provide for my family. I have a lot of ground to make up, but I can assure you that I will do so without violating my integrity, my honor, or the law again.

I do want to assure you that no matter what your decision, I will emerge a stronger, wiser and more dedicated family man. I pray that you do not judge me solely on my actions in the offense but as a father, husband, son, and community activist. Thank you,

Respectfully,

Felipe Eduardo Sixto