



PPP Loan Program – Additional Interim Final Rules

April 24, 2020

On April 24, 2020, an additional \$310 billion was authorized under the Paycheck Protection Program (PPP), a key aspect of the CARES Act relief package. The program, administered by the Small Business Administration (SBA), provides for loans of up to \$10 million per small business applicant to be used on payroll, benefits, rent and other authorized costs from February 15, 2020, through June 30, 2020.

The SBA also issued [additional interim final rules under the PPP](#) to supplement previous guidance on several important, discrete issues. Of particular note, this most recent guidance clarifies that:

- Portfolio companies of private equity funds are eligible to receive PPP loans, but are reminded to carefully review the required borrower certification stating that "current economic uncertainty makes the loan request necessary to support the ongoing operations of the [portfolio company]."
- Hedge funds and private equity funds are, themselves, ineligible to receive PPP loans.

We discussed the above certification requirement and the latest guidance on this topic in [our alert on April 23](#).

This content is provided for general informational purposes only, and your access or use of the content does not create an attorney-client relationship between you or your organization and Cooley LLP, Cooley (UK) LLP, or any other affiliated practice or entity (collectively referred to as "Cooley"). By accessing this content, you agree that the information provided does not constitute legal or other professional advice. This content is not a substitute for obtaining legal advice from a qualified attorney licensed in your jurisdiction and you should not act or refrain from acting based on this content. This content may be changed without notice. It is not guaranteed to be complete, correct or up to date, and it may not reflect the most current legal developments. Prior results do not guarantee a similar outcome. Do not send any confidential information to Cooley, as we do not have any duty to keep any information you provide to us confidential. This content may be considered **Attorney Advertising** and is subject to our [legal notices](#).

Key Contacts

Alfred Browne Boston	abrowne@cooley.com +1 617 937 2310
Danielle Naftulin Palo Alto	dnaftulin@cooley.com +1 650 849 7118

Ryan Naftulin London	rnaftulin@cooley.com +44 (0) 20 7556 4540
Peter H. Werner San Francisco	pwerner@cooley.com +1 415 693 2172

This information is a general description of the law; it is not intended to provide specific legal advice nor is it intended to create an attorney-client relationship with Cooley LLP. Before taking any action on this information you should seek professional counsel.

Copyright © 2023 Cooley LLP, 3175 Hanover Street, Palo Alto, CA 94304; Cooley (UK) LLP, 22 Bishopsgate, London, UK EC2N 4BQ. Permission is granted to make and redistribute, without charge, copies of this entire document provided that such copies are complete and unaltered and identify Cooley LLP as the author. All other rights reserved.