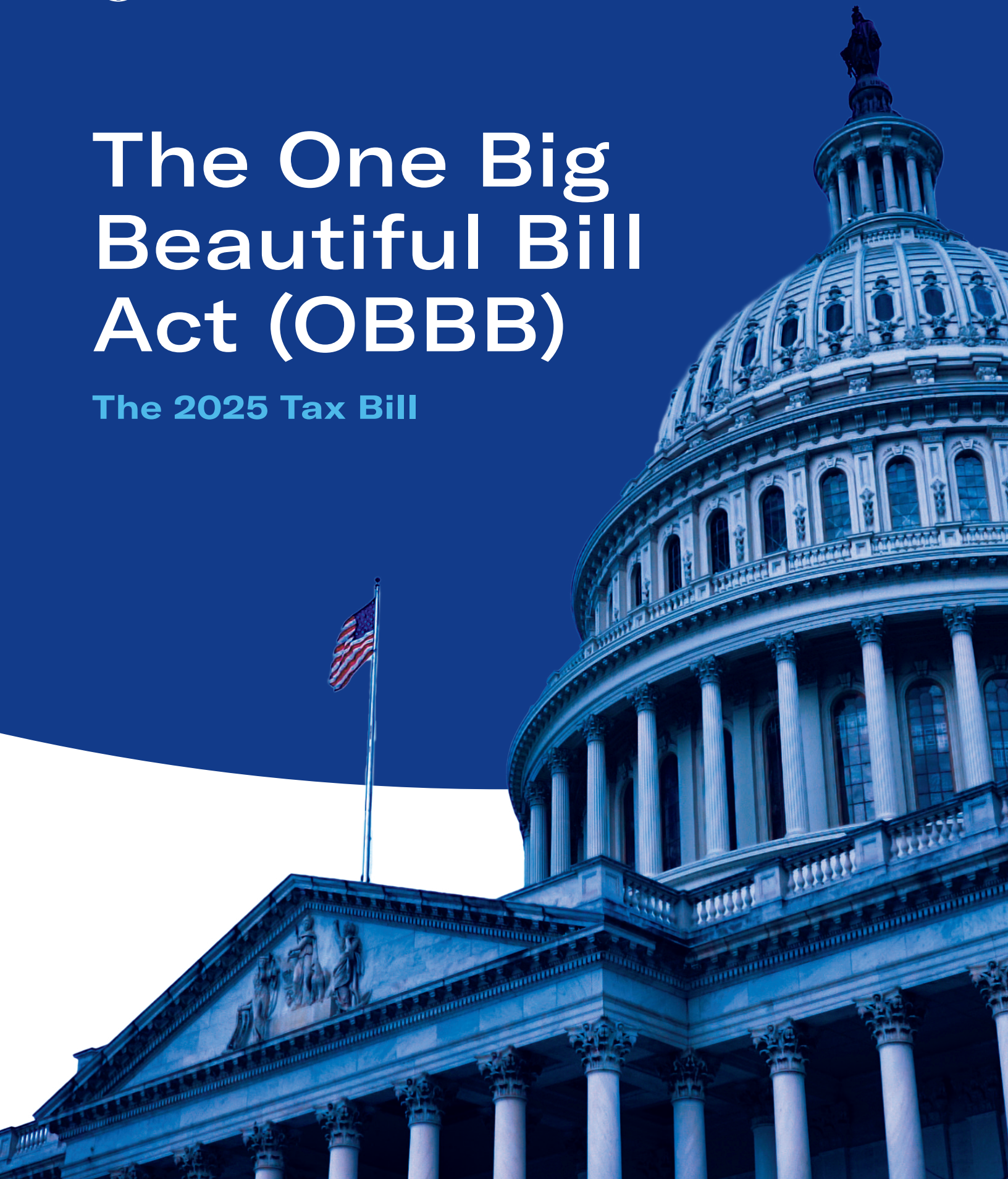




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The One Big Beautiful Bill Act (OBBB)

The 2025 Tax Bill





Introduction

On July 4, 2025, President Trump signed H.R. 1, “An Act to provide for reconciliation pursuant to title II of H. Con. Res. 14” into law, also known as the One Big Beautiful Bill Act (OBBB). The OBBB contains numerous tax provisions impacting individuals and businesses.

The 2017 Tax Cuts and Jobs Act (TCJA) brought temporary changes to the tax code, such as increasing the thresholds for tax brackets, lowering the top income tax rate, doubling the standard deduction, and doubling the estate tax exemption, all of which were set to expire at the end of 2025. The OBBB permanently extends much of the TCJA, but also added and modified many tax provisions, including modifying and/or terminating many of the clean energy and electric vehicle tax incentives that were passed under the Inflation Reduction Act.

Also, the OBBB increases funding for immigration control and national defense, and contains spending reductions affecting Medicaid, Medicare, and other federal programs.

The OBBB impacts several tax provisions, not all of which are discussed below. The following pages are a summary of some of the OBBB’s tax provisions.

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Income Tax Rates

The tax rates enacted by the TCJA are made permanent.

The OBBB maintains the current income tax rates of 10%, 12%, 22%, 24%, 32%, 35%, and 37% after 2025, but also adds an additional year of inflation adjustments for the 10% and 12% tax brackets. The long-term capital gain tax rates were not changed (0%, 15%, and 20%).

Planning considerations

- While the income tax rates are permanent, meaning they do not sunset under current law, a future Congress and president may change the tax rates. Individuals should continue tax planning, including the consideration of asset location planning with an appropriate allocation to a tax-free income source, such as cash value life insurance and/or Roth IRAs.¹
- With income tax rates remaining the same under the OBBB, Roth conversions may be beneficial while tax rates remain historically low.
- Deferred annuities provide tax-deferred growth. Annuity payments generally consist of part tax-free return of basis and taxable ordinary income, which may help individuals manage their income taxes when distributions are received in retirement.
- Individuals who believe their income tax rates may increase in the future should review their pretax contributions to traditional IRAs and/or employer sponsored qualified retirement plans. Distributions from these plans are taxable ordinary income, so if tax rates are higher in the future, it may be beneficial to pay tax now by contributing to a Roth option in an employer sponsored plan or a Roth IRA as qualifying distributions from Roth plans and Roth IRAs are income tax-free. Cash value life insurance may also provide tax-free income in retirement.



Standard Deduction

The OBBB makes the TCJA's increased standard deduction permanent.

For 2025, the standard deduction is \$15,750 for single filers, \$23,625 for heads of household, and \$31,500 for married individuals filing jointly, with inflation adjustments after 2025.

Planning considerations

- Like under the TCJA, many individuals will take the standard deduction and not itemize.
- The increased SALT cap (discussed below) will impact people's decision to itemize or take the standard deduction. Higher income taxpayers who have their SALT deduction phased down may revert to taking the standard deduction, depending on their other itemized deductions.
- Individuals should discuss with their tax advisors if any adjustments need to be made to their tax withholdings and/or quarterly estimated tax payments based on whether they will claim the standard deduction or itemize deductions.

¹ See page 12 for important information about cash value life insurance.



Senior Bonus Deduction

The OBBB creates a temporary **\$6,000 deduction** for individuals age 65 or older for 2025 through 2028, phasing out when modified adjusted gross income (MAGI) exceeds \$75,000 (\$150,000 for married filing jointly). For MAGI above these thresholds, the deduction phases out at a 6% rate, so the deduction fully phases out for single filers with \$175,000 of MAGI and joint filers with \$250,000 of MAGI. Married individuals must file jointly to claim this deduction.

Instead of eliminating taxes on Social Security, which could not be done through the budget reconciliation process (which is how the OBBB passed Congress), the senior bonus deduction is meant to help seniors reduce their taxable income.

Planning considerations

- Married couples currently filing separately should review if they should file jointly, which is required to claim this deduction.
- The senior bonus deduction is temporary, expiring before 2029, so seniors should review if they qualify and if they can accelerate income before 2029 that can be offset by this deduction.
- Seniors who are reviewing Roth conversions must keep the phaseout in mind. A Roth conversion that pushes a senior's MAGI into the phaseout will result in a lower or lost senior bonus deduction. On the other hand, the senior bonus deduction may help seniors below the phaseout offset the taxable income recognized from a Roth conversion. Roth conversions before age 65 will reduce post age 65 MAGI, allowing some seniors to preserve the deduction.



\$ Personal Exemptions

The TCJA suspended personal exemptions.

The OBBB terminates personal exemptions going forward.



Itemized Deductions Limitation

The overall limit on itemized deductions (Pease limitation) is permanently removed.

However, **starting in 2026 there is a new provision that reduces itemized deductions** by 2/37 of the lesser of the amount of itemized deductions or the amount of taxable income exceeding the 37% tax rate bracket. This provision essentially caps the value of otherwise allowable itemized deductions at the 35% income tax rate bracket.



State and Local Tax (SALT) Deduction

One of the most hotly debated provisions in Congress during the legislative process was the SALT deduction.

The TCJA limited the SALT deduction to \$10,000. **The OBBB temporarily increases the SALT deduction cap through 2029** and reverts the deduction limit to \$10,000 in 2030. The SALT cap is \$40,000 for 2025 and \$40,400 in 2026, and then it increases by 1% annually through 2029. There is a phase-out of the SALT deduction for those with MAGI over \$500,000 (increased for inflation after 2025), reducing the deduction by 30% of the excess MAGI, but not below \$10,000. When MAGI is \$600,000 or more, the SALT deduction will be \$10,000 due to the phaseout.

Planning considerations

- Individuals who have MAGI above \$500,000 or are approaching this limit will want to review ways to reduce MAGI. Both cash value life insurance and annuities provide tax-deferred growth that can help individuals avoid increasing MAGI for interest, dividends, and capital gains.
- Individuals who want to reduce their MAGI should review their employer sponsored qualified retirement plan contributions. Employees may want to increase their pretax salary deferrals into employer plans. Business owners may want to review and/or establish a qualified retirement plan which can help reduce MAGI as the contributions will be tax deductible.
- Individuals who are considering a Roth conversion before 2030 must review the impact increasing MAGI will have on the SALT deduction.



Pass-Through Entity Tax (PTET)

After the TCJA limited the SALT deduction to \$10,000, many states created PTET elections to allow a business to elect taxation at the entity level for state income tax purposes. The PTET is a workaround to the SALT cap for owners of pass-through businesses by allowing the business to pay state income tax as a deductible business expense. While prior versions of the bill had limits to PTET, **the OBBB does not limit PTET.**



Mortgage Interest Deduction

The TCJA's provision limiting the qualified residence **interest deduction to the first \$750,000** in home mortgage acquisition debt is permanently extended. Also, the provision eliminating the home-equity debt interest deduction was made permanent.



Charitable Contribution Deduction

The OBBB made a few changes to charitable deductions for individuals and C corporations.

Individuals

- 1 **Non-itemizers** can claim a deduction of up to \$1,000 (single) or \$2,000 (married filing joint) for cash contributions to public charities starting in 2026.
- 2 **For itemizers**, charitable deductions are reduced by 0.5% of the taxpayer's AGI starting in 2026. An individual's total charitable deduction continues to be subject to AGI limitations (which depend upon the type of contribution and recipient), with the excess (including the contributions disallowed by the 0.5% floor) carried forward up to five years. If aggregate contributions do not result in a carryover, there is no carryover of contributions disallowed due to the 0.5% floor.
- 3 The 60% of AGI threshold for cash contributions to public charities was made permanent.

C Corporations

Starting in 2026, a corporation can deduct charitable contributions only to the extent the aggregate contributions exceed 1% of the corporation's taxable income. Total charitable deductions by a corporation continue to be limited to 10% of taxable income, with the excess (including the contributions disallowed by the 1% floor) carried forward up to five years. If aggregate contributions do not exceed 10% of taxable income, there is no carryforward of contributions disallowed due to the 1% floor.

Planning considerations

- With a 0.5% floor on itemized charitable deductions starting in 2026, individuals should review charitable donations they are considering in 2026 or later to determine if they should make the donation in 2025 before the deduction floor starts. On the other hand, non-itemizers may want to hold off on charitable donations until 2026 when the \$1,000/\$2,000 non-itemized charitable deduction will be available.



Alternative Minimum Tax (AMT) Exemption

The TCJA's increased individual AMT exemption is permanently extended.

Starting in 2026, the phaseout of the AMT exemption **increases from 25% to 50%** of the amount alternative minimum taxable income exceeds \$1,000,000 for married filing jointly filers and \$500,000 for single filers.



Child Tax Credit

The non-refundable child tax credit is increased to \$2,200 per child beginning in 2025 and will be indexed for inflation after 2025. The \$1,400 refundable child tax credit, adjusted for inflation, is made permanent. The higher MAGI phaseouts of \$200,000 (\$400,000 for married filing jointly) was also made permanent (these thresholds are not indexed for inflation).



No Tax on Tips

The OBBB provides a **temporary deduction for 2025 through 2028 of up to \$25,000** for qualified tips received in an occupation that customarily and regularly receives tips. The deduction begins to phase out when the taxpayer's MAGI exceeds \$150,000 (\$300,000 for married filing jointly). Married individuals must file jointly to claim this deduction. Non-itemizers are eligible for the deduction. Employers must include on Form W-2 the total amount of qualified tips and the employee's qualifying occupation.

Planning considerations

- Married couples currently filing separately should review if they should file jointly, which is required to claim this deduction.
- Individuals receiving qualified tips and who have MAGI above the \$150,000/\$300,000 thresholds may want to review ways to reduce MAGI, if possible.
- Individuals who are considering a Roth conversion before 2029 should review the impact increasing MAGI will have on the tip deduction.



No Tax on Overtime

The OBBB provides a **temporary deduction for 2025 through 2028 of up to \$12,500 (\$25,000 for married filing jointly)** for qualified overtime compensation. The deduction begins to phase out when the taxpayer's MAGI exceeds \$150,000 (\$300,000 for married filing joint). Married individuals must file jointly to claim the deduction. Non-itemizers are eligible for the deduction.

The deduction applies only to overtime compensation that is required under the Fair Labor Standards Act and only to the amount that is in excess of the employee's regular pay. With the new tip and overtime deductions, qualified tips cannot be claimed as qualified overtime compensation to avoid double dipping. Employers must include the total amount of qualified overtime compensation on Form W-2.

Planning considerations

- Married couples currently filing separately should review if they should file jointly, which is required to claim this deduction.
- Individuals receiving qualified overtime pay and who have MAGI above the \$150,000/\$300,000 thresholds may want to review ways to reduce MAGI.
- Individuals who are considering a Roth conversion before 2029 should review the impact increasing MAGI will have on the overtime deduction.



Car Loan Interest

For 2025 through 2028, qualified passenger vehicle loan interest (up to \$10,000 per year) is eligible for a tax deduction, with a phase-out for MAGI exceeding \$100,000 (\$200,000 for married filing jointly). The vehicle must be finally assembled within the United States. Non-itemizers are eligible for the deduction.



Qualified Business Income (QBI) Deduction

The TCJA added the QBI deduction under IRC § 199A, which allows business owners of pass-through entities to generally take a deduction of up to 20% of their pass-through income.

However, there are phase-in limitations to reduce the deduction when taxable income reaches certain thresholds. Pass-through business owners who have taxable income below the threshold (for 2025, \$394,600 for married filing jointly and \$197,300 for other filers), can generally take a 20% deduction of their pass-through income. The phase-in of the deduction limitation occurs when taxable income exceeds the threshold but not by more than \$100,000 (married filing jointly) and \$50,000 (other filers). When taxable income reaches \$494,600/\$247,300, the owner of a non-service business can deduct the lesser of (1) 20% of QBI or (2) the greater of (a) 50% of W-2 wages paid to employees or (b) 25% of W-2 wages paid to employees plus 2.5% of the unadjusted basis of qualified property in the business. With a specified service business, once the owner's taxable income reaches \$494,600/\$247,300, there is no deduction at all.

The OBBB makes the QBI deduction permanent at 20%. Starting in 2026, the deduction limit phase-in range for the wage and investment limitation is increased from \$50,000 for non-joint returns to \$75,000 and \$100,000 for joint returns to \$150,000. Starting in 2026, the OBBB also created an inflation-adjusted minimum deduction of \$400 for taxpayers with at least \$1,000 of QBI from one or more active businesses in which they materially participate.

Planning considerations

- Tax advisors must continue to review if business owners are better off operating as a pass-through entity or a C corporation. The C corporation tax rate was not changed by the OBBB and remains at 21%. There were also enhancements to the qualified small business stock gain exclusion (discussed below).
- Business owners who have taxable income exceeding the thresholds should review ways to reduce taxable income, such as through qualified retirement plans and/or charitable contributions.
- Business owners who have their QBI deduction limited due to the wage and investment limitation may want to review if bonus plans for key employees make sense. An executive bonus plan, where the business pays the premiums for a life insurance policy owned by a key employee, may be implemented. The business can deduct reasonable compensation paid to employees and the increased wages may also result in a higher QBI deduction. S corporation shareholder-employees may want to review their W-2 wages from the S corporation to determine if they are maximizing their QBI deduction.



529 Plans

The OBBB expands the definition of qualified higher education expenses to include additional K-12 educational expenses for distributions after the date of enactment. Further, the OBBB doubles the amount of allowed withdrawals for elementary and secondary school educational expenses and tuition from \$10,000 to \$20,000 starting in 2026. Also starting on the date of enactment, the OBBB expands the definition of qualified higher education expenses to include **qualified postsecondary credentialing expenses**.



Estate and Gift Tax Exemption Amounts

The estate and gift tax exemption is permanently increased to \$15 million per person in 2026 and indexed for inflation after 2026. Therefore, a married couple can shelter up to \$30 million from federal gift and estate taxes in 2026. The generation-skipping transfer tax (GSTT) exemption will also be \$15 million per person in 2026. The 2025 estate and gift tax exemption, as well as the GSTT exemption, are \$13.99 million per person.

Planning considerations

- While the exemption amounts are permanent, meaning they will not sunset under current law, a future Congress and president may change the gift and estate tax laws and exemptions, so estate planning should continue to be done.
- Individuals who live in a state with a state estate tax and/or inheritance tax must plan for those taxes.
- Individuals who have used most or all of their lifetime exemptions by making gifts will have an additional amount they can gift due to the increased \$15 million exemption starting in 2026.
- The OBBB did not change the step-up in basis upon death, so assets included in one's estate obtain a step-up in basis equal to fair market value at the date of death. Therefore, individuals doing estate planning must continue to review the cost/benefit of gifting versus holding onto assets until death. Note that not all assets obtain a step-up in basis upon death, such as annuities, qualified retirement plans, and IRAs.
- With an increased and permanent estate tax and GSTT exemption, spousal lifetime access trusts and dynasty trusts should continue to make sense in many cases.
- Life insurance continues to be a critical part of estate planning. Life insurance provides protection for families. For those who have state and/or federal estate tax concerns, life insurance provides needed liquidity to pay taxes at death.



ABLE Accounts

The OBBB makes permanent the increased contribution limit to ABLE accounts and tax-free rollovers from 529 plans to ABLE accounts.



Trump Accounts

The OBBB creates a new "Trump" savings account for individuals under age 18 who have a Social Security number. A Trump account will be treated in the same manner as an individual retirement account (not a Roth IRA), although contributions are not tax deductible. No contributions can be made to Trump accounts until 12 months after the OBBB's date of enactment. No distributions can be made before age 18. Trump accounts can only be invested in certain mutual funds or ETFs that track the S&P 500 or another index that is comprised of US equities.

For US citizens born after December 31, 2024, and before January 1, 2029, the federal government will contribute \$1,000 per child to every eligible account. The maximum contribution to a Trump account is \$5,000 annually, indexed for inflation, although certain contributions from tax-exempt entities are not subject to the \$5,000 annual limit.



Opportunity Zones

The TCJA created the qualified opportunity zone (QOZ) program to stimulate economic development in certain communities by offering tax incentives. For investors with deferred gains invested in a QOZ fund prior to January 1, 2027, the gain must still be recognized on December 31, 2026. The OBBB made the QOZ program permanent with some changes effective January 1, 2027. Capital gains invested in a QOZ fund on or after January 1, 2027, are deferred until the earlier of disposition or five years. Investors who hold the QOZ fund for at least five years can increase the basis of their investment by 10% of their deferred gain (30% in the case of an investment in a qualified rural opportunity fund). Additionally, investors may be able to exclude gains from QOZ funds held for at least 10 years, with special rules applying to investments held over 30 years.

Planning considerations

- For investors with deferred gains invested in a QOZ fund prior to January 1, 2027, the gain must be recognized on December 31, 2026. Therefore, for 2025 and 2026, QOZ funds may only provide marginal utility because the deferral ends December 31, 2026.
- Taxpayers expecting to recognize gains (e.g., sale of business) in 2025 or 2026 should review other strategies to avoid or defer gain recognition until 2027 when a new round of QOZ investments are available. Other strategies to consider in 2025 and 2026 as a bridge until 2027 may include installment sales and charitable remainder trusts.



Bonus Depreciation

The additional first-year (bonus) depreciation deduction is permanently extended and increased to 100% for qualified property acquired and placed in service on or after January 19, 2025.



Section 179 Expensing

The maximum expensing amount is increased to \$2.5 million starting in 2025.



Special Depreciation Allowance for Qualified Production Property

The OBBB created an additional first-year depreciation deduction equal to 100% of the adjusted basis of qualified production property, which is generally U.S. nonresidential real property used in manufacturing that is acquired after January 19, 2025 and before January 1, 2029.



Limitation on Business Interest

The business interest deduction is generally limited to 30% of adjusted taxable income. The EBITDA limitation is reinstated, so for the business interest deduction limitation, adjusted taxable income is computed without regard to depreciation, amortization, or depletion deductions.



Excess Business Losses

The limitation on excess business losses of non-corporate taxpayers is made permanent.



Qualified Small Business Stock (QSBS)

IRC § 1202 provides for gain exclusion on the sale of QSBS held for more than five years. The percentage of gain excluded depends on the date the taxpayer acquired the stock. The OBBB provides for the exclusion of 50% of the gain on QSBS held for at least 3 years and 75% of the gain on QSBS held for at least 4 years. QSBS held five years or more would qualify for 100% gain exclusion. The OBBB also increases the per issuer limitation from \$10 million to \$15 million, with the \$15 million amount to be increased by an inflation adjustment after 2026. The OBBB increases the aggregate gross assets threshold from \$50 million to \$75 million, with the \$75 million amount increased by an inflation adjustment after 2026.

Planning considerations

- QSBS should be reviewed given the enhancements. Now that a portion of the gain can be excluded from income after three years and after four years, and not just after five years, QSBS may have increased utility, combined with the increased per issuer limitation.
- QSBS is only for C corporations, so when business owners review whether to operate as a C corporation or pass-through entity, the expanded QSBS provisions must be considered.



Excise Tax for Excess Compensation of Tax-Exempt Organizations

The TCJA added IRC § 4960, which imposes an excise tax equal to the corporate rate (currently 21%) on tax-exempt organizations that pay compensation over \$1 million to covered employees. A covered employee is an individual who, for any tax year starting in 2017 or later, was one of the five highest-paid employees. Compensation paid to a licensed medical or veterinarian professional for medical or veterinary services is not considered. Starting in 2026, the OBBB expands the definition of covered employee to include any employee (or former employee) after 2016.

Planning considerations

- For tax-exempt organizations with several employees earning more than \$1 million in annual compensation (other than for the provision of medical and veterinary services), expanding the scope of this excise tax beyond the current top five highest-compensated employees may have a significant impact on compensation planning. Further, the \$1 million compensation threshold is not indexed for inflation, which may capture more employees in the future because of higher compensation required due to inflation.
- Loan regime split-dollar may see increased interest with tax-exempt organizations because the premium payments are treated as loans, not as compensation (although any foregone interest on split-dollar loans is generally treated as compensation to employee).



Conclusions

For the most part, the TCJA's tax provisions have been extended, many permanently. But the OBBB also added some new tax provisions and modified some existing tax laws. Individuals, along with their own tax professionals and financial planners, should review and assess how these changes impact their individual situations.

Estate planning and financial planning should continue. Even though the OBBB is permanent in many respects, a future Congress and president may pass legislation changing the tax laws. When it comes to tax laws, "permanent" means it won't sunset and revert to prior law, but it does not mean it won't change in the future under a different administration.

Important information about cash value life insurance

The primary purpose of cash value life insurance is death benefit protection for your beneficiaries. Loans and withdrawals reduce the policy's cash value and death benefit, may cause certain policy benefits or riders to become unavailable and increase the chance the policy may lapse. If the policy lapses, is surrendered or becomes a Modified Endowment Contract (MEC), the loan balance at such time would generally be viewed as distributed and taxable under the general rules for distribution of policy cash values.

Under current federal tax rules, you generally may take federal income tax-free withdrawals up to your basis (total premiums paid) in the policy or loans from a life insurance policy that is not a MEC. Certain exceptions may apply for partial withdrawals during the policy's first 15 years.

If the policy is a MEC, all distributions (withdrawals or loans) are taxed as ordinary income to the extent of gain in the policy, and may also be subject to an additional 10% premature distribution penalty prior to age 59½, unless certain exceptions are applicable.

Annuities are contractual agreements in which payment(s) are made to an insurance company, which agrees to pay out an income or a lump-sum amount at a later date. Contract limitations, fees and charges apply. A financial professional can provide cost information and complete details. Annuities are not suitable for all investors. Withdrawals may be taxable as ordinary income, and, if taken prior to age 59½, may be subject to an additional 10% federal income tax penalty. Withdrawals may also be subject to a contractual withdrawal charge.

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