## UNITED STATES SECURITIES AND EXCHANGE COMMISSION WASHINGTON, DC 20549

## FORM 8-K

#### **CURRENT REPORT**

#### PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

## Date of Report: December 8, 2009

CUMMINS INC.

(Exact name of registrant as specified in its charter)

Indiana

1-4949

35-0257090

(State or other Jurisdiction of Incorporation)

(Commission File Number)

(I.R.S. Employer Identification No.)

500 Jackson Street P. O. Box 3005

Columbus, IN 47202-3005 (Principal Executive Office) (Zip Code)

Registrant's telephone number, including area code: (812) 377-5000

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (*see* General Instruction A.2. below):

[] Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

[] Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

[] Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

[] Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

## Item 5.02 Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.

d) Election of New Director

On December 8, 2009, the Board of Directors of Cummins Inc. (the "Company") elected Franklin R. Chang-Díaz, Ph.D., as a director of the Company to serve until the Company's next annual meeting of shareholders. Dr. Chang-Díaz has been appointed to serve on the Board's Audit, Finance, Governance and Nominating, and Safety, Environment and Technology Committees.

As a non-employee director, Dr. Chang-Díaz will participate in the Company's standard compensation policies and programs for nonemployee directors as described under the heading "Director Compensation" beginning on page 11 of the Company's Proxy Statement filed with the Securities and Exchange Commission on April 1, 2009.

The Company's press release with respect to this matter is attached as Exhibit 99 and incorporated herein by reference.

# Item 9.01. Financial Statements and Exhibits.

- (d) The following exhibit is filed herewith:
  - 99 Press Release dated December 8, 2009

# SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

CUMMINS INC.

/s/ Marsha L. Hunt

Marsha L. Hunt Vice President - Corporate Controller (Principal Accounting Officer)

CUMMINS INC.

Exhibit Index to Current Report on Form 8-K

Exhibit <u>Number</u>

(99) Press Release dated December 8, 2009

# **News Release**

Contact:

Mark Land – Director of Public Relations (317) 610-2456 mark.d.land@cummins.com

#### December 8, 2009

# Franklin Chang-Díaz elected to Cummins Board of Directors

COLUMBUS, IND. – Cummins Inc. (NYSE: CMI) announced today that Franklin Chang-Díaz, Chairman and CEO of Ad Astra Rocket Company and former NASA astronaut, has been elected to the Company's Board of Directors.

Chang-Díaz, 59, becomes the 10<sup>th</sup> Cummins Board member, and will serve on the Board's Safety, Environment and Technology committee, as well as the Audit, Finance and Governance and Nominating committees. His term begins immediately and he will stand for re-election at the Company's annual meeting next May. All Cummins directors are elected annually.

Chang-Díaz, a native of Costa Rica who moved to the United States as a teen, brings an extensive technical background to Cummins. In 1980, three years after graduating from the Massachusetts Institute of Technology with his doctorate in nuclear engineering, Chang-Díaz was selected by NASA to be an astronaut candidate and earned his astronaut wings the following year.

During his 25 years at NASA, Chang-Díaz was an integral part of the Space Shuttle program. While at NASA, he flew seven shuttle missions, logging more than 1,600 hours in space, and continued his research in applied plasma physics.

Chang-Díaz retired from NASA in 2005 and formed Ad Astra Rocket Company to continue his pioneering work in the VASIMR<sup>®</sup> rocket engine design, which NASA plans to deploy on the International Space Station in 2013.

"Franklin's expertise in advanced engineering and engine technology will be invaluable to Cummins as we continue our work to be a technical leader in all our markets," said Cummins Chairman and Chief Executive Officer Tim Solso. "In addition, Franklin's long history of public service, both at NASA and in his work to promote education in Costa Rica and throughout Latin America, are a good fit with Cummins' Mission and our work to improve the communities in which we operate."

Chang-Díaz was honored with the Liberty Medal in 1986 by President Ronald Reagan and was a four-time recipient of NASA's Distinguished Service Medal, the highest honor awarded by the agency. He currently is leading Costa Rica's "Strategy for the XXI Century," a countrywide initiative aimed at transforming Costa Rica into a fully developed nation over the next 40 years.

Chang-Díaz and his wife Peggy alternate their home between suburban Houston and Liberia, Costa Rica. The couple has four daughters, ranging in age from 14 to 36. In addition to his work at Ad Astra Rocket, Chang-Díaz is an adjunct professor of physics at Rice University and The University of Houston.

# **About Cummins**

Cummins Inc., a global power leader, is a corporation of complementary business units that design, manufacture, distribute and service engines and related technologies, including fuel systems, controls, air handling, filtration, emission solutions and electrical power generation systems. Headquartered in Columbus, Indiana, (USA) Cummins serves customers in approximately 190 countries and territories through a network of more than 500 company-owned and independent distributor locations and approximately 5,200 dealer locations. Cummins reported net income of \$755 million on sales of \$14.3 billion in 2008. Press releases can be found on the Web at <u>www.cummins.com</u>.

#### Forward-looking disclosure statement

Information provided in this release that is not purely historical are forward-looking statements within the meaning of the Private Securities Litigation Reform Act of 1995, including statements regarding the company's expectations, hopes, beliefs and intentions on strategies regarding the future. It is important to note that the company's actual future results could differ materially from those projected in such forward-looking statements because of a number of factors, including, but not limited to, general economic, business and financing conditions, labor relations, governmental action, competitor pricing activity, expense volatility and other risks detailed from time to time in Cummins Securities and Exchange Commission filings.