CUMMINS INC Form 8-K February 02, 2012

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: February 2, 2012

CUMMINS INC.

(Exact name of registrant as specified in its charter)

Indiana1-494935-0257090(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 2.02. Results of Operations and Financial Condition.

On February 2, 2012, Cummins Inc. issued a press release regarding its release of fourth quarter and full year 2011

results.

Item 7.01. Regulation FD Disclosure

The following information is furnished pursuant to Item 2.02, "Results of Operations and Financial Condition" and

Item 7.01, "Regulation FD Disclosure."

On February 2, 2012, Cummins Inc. (Cummins, the Company, the registrant, we, our, or, us) issued the attac release reporting its financial results for the fourth quarter and full year of 2011. A copy of Cummins' press release is

attached hereto as Exhibit 99 and hereby incorporated by reference.

Item 9.01. Financial Statements and Exhibits.

(d) The following exhibit is furnished herewith:

99-Press Release dated February 2, 2012

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.

Date: February 2, 2012

CUMMINS INC.

/s/ Marsha L. Hunt

Marsha L. Hunt

Vice President - Corporate Controller

(Principal Accounting Officer)

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CUMMINS INC. AND SUBSIDIARIES CONDENSED CONSOLIDATED STATEMENTS OF INCOME (Unaudited) (a)

	T	hree months				
	D	ecember 31,	25	eptember 5.	D	ecember 31,
In millions, except per share amounts		011))11		010
NET SALES		4,921		4,626		4,139
Cost of sales		3,680	Ċ	3,438	·	3,155
GROSS MARGIN		1,241		1,188		984
OPERATING EXPENSES AND INCOME						
Selling, general and administrative expenses		496		489		423
Research, development and engineering expenses		179		164		123
Equity, royalty and interest income from investees (Note 1)		101		102		90
Gain on sale of businesses (Note 2)		53		-		-
Other operating (expense) income, net (Note 3)		25		2		(3)
OPERATING INCOME		745		639		525
Interest income		9		9		7
Interest expense		10		11		11
Other income (expense), net		14		(8)		9
INCOME BEFORE INCOME TAXES		758		629		530
Income tax expense (Note 4)		186		157		139
CONSOLIDATED NET INCOME		572		472		391
Less: Net income attributable to noncontrolling interests		24		20		29
NET INCOME ATTRIBUTABLE TO CUMMINS INC.	\$	548	\$	452	\$	362
EARNINGS PER COMMON SHARE ATTRIBUTABLE TO CUMMINS INC.						
Basic	\$	2.87	\$	2.35	\$	1.85
Diluted	\$	2.86	\$	2.35	\$	1.84
WEIGHTED AVERAGE SHARES OUTSANDING						
Basic		190.9		192.1		195.8
Diluted		191.5		192.7		196.4
CASH DIVIDENDS DECLARED PER COMMON SHARE	\$	0.40	\$	0.40	\$	0.2625

⁽a) Prepared on an unaudited basis in accordance with accounting principles generally accepted in the United States of America (GAAP).

CUMMINS INC. AND SUBSIDIARIES CONDENSED CONSOLIDATED STATEMENTS OF INCOME Unaudited (a)

	F	or the years en	ded	
		ecember 31,		ecember 31,
In millions, except per share amounts)11		010
NET SALES	\$	18,048	\$	13,226
Cost of sales		13,459		10,058
GROSS MARGIN		4,589		3,168
OPERATING EXPENSES AND INCOME				
Selling, general and administrative expenses		1,837		1,487
Research, development and engineering expenses		629		414
Equity, royalty and interest income from investees (Note 1)		416		351
Gain on sale of businesses (Note 2)		121		_
Other operating (expense) income, net (Note 3)		21		(16)
OPERATING INCOME		2,681		1,602
		_,		-,
Interest income		34		21
Interest expense		44		40
Other income (expense), net		-		34
INCOME BEFORE INCOME TAXES		2,671		1,617
Income tax expense (Note 4)		725		477
CONSOLIDATED NET INCOME		1,946		1,140
Less: Net income attributable to noncontrolling interests		98		100
NET INCOME ATTRIBUTABLE TO CUMMINS INC.	\$	1,848	\$	1,040
EARNINGS PER COMMON SHARE ATTRIBUTABLE TO CUMMINS INC.				
Basic	\$	9.58	\$	5.29
Diluted	\$	9.55	\$	5.28
WEIGHTED AVERAGE SHARES OUTSTANDING				
Basic		193.0		196.7
Diluted		193.6		197.1
CASH DIVIDENDS DECLARED PER COMMON SHARE	\$	1.325	\$	0.875

⁽a) Prepared on an unaudited basis in accordance with accounting principles generally accepted in the United States of America (GAAP).

CUMMINS INC. AND SUBSIDIARIES CONDENSED CONSOLIDATED BALANCE SHEETS (Unaudited) (a)

In millions, execut non volve		ecember 31, 011		ecember 31,
In millions, except par value ASSETS	4(<i>)</i> 11	4(710
Current assets				
Cash and cash equivalents	\$	1,484	\$	1,023
Marketable securities	•	277		339
Total cash, cash equivalents and marketable securities		1,761		1,362
Accounts and notes receivable, net		2,526		2,243
Inventories		2,141		1,977
Deferred income taxes		268		314
Prepaid expenses and other current assets		395		393
Total current assets		7,091		6,289
Long-term assets		,		,
Property, plant and equipment, net		2,288		2,041
Investments and advances related to equity method investees		838		734
Goodwill and other intangibles, net		566		589
Other assets		885		749
Total assets	\$	11,668	\$	10,402
LIABILITIES				
Current liabilities				
Loans payable	\$	28	\$	82
Accounts payable (principally trade)		1,546		1,362
Accrued expenses		2,083		1,816
Total current liabilities		3,657		3,260
Long-term liabilities				
Long-term debt		658		709
Other liabilities		1,522		1,437
Total liabilities		5,837		5,406
EQUITY				
Cummins Inc. shareholders equity				
Common stock, \$2.50 par value, 500 shares authorized, 222.2 and 221.8				
shares issued		2,001		1,934
Retained earnings		6,038		4,445
Treasury stock, at cost, 30.2 and 24.0 shares		(1,587)		(964)
Common stock held by employee benefits trust, at cost, 1.8 and 2.1 shares		(22)		(25)
Accumulated other comprehensive loss		(938)		(720)
Total Cummins Inc. shareholders equity		5,492		4,670
Noncontrolling interests		339		326
Total equity		5,831		4,996
Total liabilities and equity	\$	11,668	\$	10,402

of America (GAAP).

Prepared on an unaudited basis in accordance with accounting principles generally accepted in the United States

CUMMINS INC. AND SUBSIDIARIES CONDENSED CONSOLIDATED STATEMENTS OF CASH FLOWS (Unaudited) (a)

	For the years en	nded
	December 31,	December 31,
In millions	2011	2010
NET CASH PROVIDED BY OPERATING ACTIVITIES	\$ 2,073	\$ 1,006
CASH FLOWS FROM INVESTING ACTIVITIES		
Capital expenditures	(622)	(364)
Investments in internal use software	(60)	(43)
Proceeds from disposals of property, plant and equipment	8	55
Investments in and advances to equity investees	(81)	(2)
Proceeds from sale of businesses, net of cash sold	199	-
Acquisition of business, net of cash acquired	-	(104)
Investments in marketable securities-acquisitions	(729)	(823)
Investments in marketable securities-liquidations	750	690
Purchases of other investments	-	(62)
Cash flows from derivatives not designated as hedges	(18)	2
Other, net	1	-
Net cash used in investing activities	(552)	(651)
CASH FLOWS FROM FINANCING ACTIVITIES		
Proceeds from borrowings	127	214
Payments on borrowings and capital lease obligations	(237)	(143)
Net borrowings (payments) under short-term credit agreements	6	9
Distributions to noncontrolling interests	(56)	(28)
Dividend payments on common stock	(255)	(172)
Proceeds from sale of common stock held by employee benefit trust	-	58
Repurchases of common stock	(629)	(241)
Excess tax benefits (deficiencies) on stock-based awards	5	10
Other, net	14	26
Net cash used in financing activities	(1,025)	(267)
EFFECT OF EXCHANGE RATE CHANGES ON CASH AND CASH		
EQUIVALENTS	(35)	5
Net increase (decrease) in cash and cash equivalents	461	93
Cash and cash equivalents at beginning of year	1,023	930
CASH AND CASH EQUIVALENTS AT END OF PERIOD	\$ 1,484	\$ 1,023

⁽a) Prepared on an unaudited basis in accordance with accounting principles generally accepted in the United States of America (GAAP).

SEGMENT INFORMATION

(Unaudited)

Three months ended December 31, 2011	In millions	Er	ngine	Co	omponen		ower eneration	Di	stribution		on-segment ems ⁽¹⁾		otal
External sales													
Intersegment sales		\$	2.628	\$	781	\$	682	\$	830	\$	_	\$	4 921
Depreciation and amortization 2	Intersegment sales	Ψ	433	Ψ	311	Ψ	238	Ψ	4	Ψ	` /	Ψ	-
Research, development and engineering expenses 112	Depreciation and		·		•						(900)		ŕ
Part			40		18		10		8		-		82
Income from investees	engineering expenses		112		49		17		1		-		179
Three months ended September 25, 2011 External sales \$2,539 \$704 \$604 \$779 \$- \$4,626 Intersegment sales 416 311 270 4 (1,001) - Total sales 2,955 1,015 874 783 (1,001) 4,626 Intersegment sales 46 19 11 6 - 82 82 Research, development and engineering expenses 103 46 14 1 1 - 164 164			40		7		10		44		-		101
Three months ended September 25, 2011 External sales \$ 2,539 \$ 704 \$ 604 \$ 779 \$ - \$ 4,626 Intersegment sales 416 311 270 4 (1,001) - Total sales 2,955 1,015 874 783 (1,001) 4,626 Depreciation and amortization (2) 46 19 11 6 - 82 Research, development and engineering expenses 103 46 14 1 - 164 Equity, royalty and interest income from investees 35 7 16 44 - 102 Interest income 5 1 349 113 92 104 (18) 640 Three months ended December 31, 2010 External sales \$ 2,099 \$ 656 \$ 690 \$ 694 \$ - \$ 4,139 Intersegment sales 398 262 213 5 (878) - Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 1 2 123	Interest income		4		2		2		1		-		9
External sales \$ 2,539 \$ 704 \$ 604 \$ 779 \$ - \$ 4,626 Intersegment sales 416 311 270 4 (1,001) - Total sales 2,955 1,015 874 783 (1,001) 4,626 Depreciation and amortization(2) 46 19 11 6 - Research, development and engineering expenses 103 46 14 1 1 - Interest income from investees 35 7 16 44 - Segment EBIT 349 113 92 104 (18) 640 Three months ended December 31, 2010 External sales \$ 2,099 \$ 656 \$ 690 \$ 694 \$ - Total sales 398 262 213 5 (878) - Total sales 398	Segment EBIT		368		132		87		87		94		768
External sales \$ 2,539 \$ 704 \$ 604 \$ 779 \$ - \$ 4,626 Intersegment sales 416 311 270 4 (1,001) - Total sales 2,955 1,015 874 783 (1,001) 4,626 Depreciation and amortization ⁽²⁾ 46 19 11 6 - 82 Research, development and engineering expenses 103 46 14 1 - 164 Equity, royalty and interest income from investees 35 7 16 44 - 102 Interest income 5 1 2 1 - 9 Segment EBIT 349 113 92 104 (18) 640 Three months ended December 31, 2010 External sales \$ 2,099 \$ 656 \$ 690 \$ 694 \$ - \$ 4,139 Intersegment sales 398 262 213 5 (878) - Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 1 2 123													
Total sales 2,955 1,015 874 783 (1,001) 4,626 Depreciation and amortization (2) 46 19 11 6 - 82 Research, development and engineering expenses 103 46 14 1 - 164 Equity, royalty and interest income from investees 35 7 16 44 - 102 Interest income 5 1 2 1 - 9 Segment EBIT 349 113 92 104 (18) 640 Three months ended December 31, 2010 External sales \$ 2,099 \$ 656 \$ 690 \$ 694 \$ - \$ 4,139 Intersegment sales 398 262 213 5 (878) - Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 13 1 - 1 2 123		\$	2,539	\$	704	\$	604	\$	779	\$	_	\$	4,626
Depreciation and amortization (2)			-		311		270		4		(1,001)		-
amortization(2)	Total sales		2,955		1,015		874		783		(1,001)		4,626
Research, development and engineering expenses 103 46 14 1 - 164 Equity, royalty and interest income from investees 35 7 16 44 - 102 Interest income 5 1 2 1 - 9 Segment EBIT 349 113 92 104 (18) 640 Three months ended December 31, 2010 External sales \$ 2,099 \$ 656 \$ 690 \$ 694 \$ - \$ 4,139 Intersegment sales 398 262 213 5 (878) - Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 123	•												
engineering expenses 103 46 14 1 - 164 Equity, royalty and interest income from investees 35 7 16 44 - 102 Interest income 5 1 2 1 - 9 Segment EBIT 349 113 92 104 (18) 640 Three months ended December 31, 2010 External sales \$ 2,099 \$ 656 \$ 690 \$ 694 \$ - \$ 4,139 Intersegment sales 398 262 213 5 (878) - Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 123			46		19		11		6		-		82
Equity, royalty and interest income from investees 35 7 16 44 - 102 Interest income 5 1 2 1 - 9 Segment EBIT 349 113 92 104 (18) 640 Three months ended December 31, 2010 External sales \$ 2,099 \$ 656 \$ 690 \$ 694 \$ - \$ 4,139 Intersegment sales 398 262 213 5 (878) - Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 123	-		102		4.6		1.1						161
income from investees 35 7 16 44 - 102 Interest income 5 1 2 1 - 9 Segment EBIT 349 113 92 104 (18) 640 Three months ended December 31, 2010 External sales \$ 2,099 \$ 656 \$ 690 \$ 694 \$ - \$ 4,139 Intersegment sales 398 262 213 5 (878) - Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 123	0 0 1		103		46		14		1		-		164
Interest income 5 1 2 1 - 9 Segment EBIT 349 113 92 104 (18) 640 Three months ended December 31, 2010 External sales \$ 2,099 \$ 656 \$ 690 \$ 694 \$ - \$ 4,139 Intersegment sales 398 262 213 5 (878) - Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 123			25		7		16		11				102
Segment EBIT 349 113 92 104 (18) 640 Three months ended December 31, 2010 External sales \$ 2,099 \$ 656 \$ 690 \$ 694 \$ - \$ 4,139 Intersegment sales 398 262 213 5 (878) - Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 123											_		
Three months ended December 31, 2010 External sales \$ 2,099 \$ 656 \$ 690 \$ 694 \$ - \$ 4,139 Intersegment sales 398 262 213 5 (878) - Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 123											(18)		-
December 31, 2010 External sales \$ 2,099 \$ 656 \$ 690 \$ 694 \$ - \$ 4,139 Intersegment sales 398 262 213 5 (878) - Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 123	Segment EBIT		547		113		72		104		(10)		010
Intersegment sales 398 262 213 5 (878) - Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 123													
Total sales 2,497 918 903 699 (878) 4,139 Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 123	External sales	\$	2,099	\$	656	\$	690	\$		\$	-	\$	4,139
Depreciation and amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 123													-
amortization (2) 46 18 10 6 - 80 Research, development and engineering expenses 76 33 13 1 - 123			2,497		918		903		699		(878)		4,139
Research, development and engineering expenses 76 33 13 1 - 123			4.6		1.0		10						0.0
engineering expenses 76 33 13 1 - 123			46		18		10		6		-		80
			76		22		12		1				122
57 D & 19 - 90	engineering expenses		37		55 6		8		39		-		90

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Equity, royalty and interest income from investees Interest income Segment EBIT		5 256		1 83		1 92		- 82		- 28		7 541
For the year ended December 31, 2011	Φ	0.740	ф	2.997	ф	2 402	ф	2 021	Φ		ф	10.040
External sales Intersegment sales Total sales	\$	9,649 1,658 11,307	\$	2,886 1,177 4,063	\$	2,492 1,006 3,498	\$	3,021 23 3,044	\$	(3,864) (3,864)	\$	18,048 - 18,048
Depreciation and amortization (2) Research, development and		181		73		42		25		-		321
engineering expenses Equity, royalty and interest		397		175		54		3		-		629
income from investees Interest income Segment EBIT		166 18 1,384		31 5 470		47 8 373		172 3 386		- - 102		416 34 2,715
For the year ended December 31, 2010												
External sales Intersegment sales Total sales	\$	6,594 1,294 7,888	\$	2,171 875 3,046	\$	2,150 769 2,919	\$	2,311 13 2,324	\$	- (2,951) (2,951)	\$	13,226 - 13,226
Depreciation and amortization (2) Research, development and		171		79		41		25		-		316
engineering expenses Equity, royalty and interest		263		114		36		1		-		414
income from investees Interest income Segment EBIT		161 12 809		23 2 278		35 5 299		132 2 297		- (26)		351 21 1,657

- Includes intersegment sales and profit in inventory eliminations and unallocated corporate expenses. For (1) the three months ended December 31, 2011 unallocated corporate expenses includes a \$53 million gain (\$33 after-tax) recorded for the sale of certain assets and liabilities of our light-duty filtration business from the Components segment, and a \$38 million gain (\$24 million after-tax) related to flood damage recoveries from the insurance settlement regarding a June 2008 flood in Southern Indiana. There were no significant unallocated corporate expenses for the three months ended September 25, 2011 and the three months ended December 31, 2010. The year ended December 31, 2011, includes a \$121 million gain (\$70 million after-tax) related to the sale of certain assets and liabilities of our exhaust and light-duty filtration business, both from the Components segment, and a \$38 million gain (\$24 million after-tax) related to flood damage recoveries from the insurance settlement regarding a June 2008 flood in Southern Indiana. The gains have been excluded from segment results as they were not considered by management in its evaluation of operating results for the year ended December 31, 2011. For the year ended December 31, 2010 unallocated corporate expenses included \$32 million in Brazil tax recoveries (\$21 million after-tax) and \$2 million in flood damage expenses. This tax recovery has been excluded from segment results as it was not considered by management in its evaluation of operating results for the year ended December 31, 2010.
- (2) Depreciation and amortization as shown on a segment basis excludes the amortization of debt discount that is included in the *Condensed Consolidated Statements of Income* as Interest expense.

RECONCILIATION OF SEGMENT INFORMATION

(Unaudited)

A reconciliation of our segment information to the corresponding amounts in the *Condensed Consolidatead Statements of Income* is shown in the table below:

	Three months	ended		For the years ended				
	December 31,	September 25,	December 31,	December 31,	December 31,			
In millions	2011	2011	2010	2011	2010			
Segment EBIT	\$ 768	\$ 640	\$ 541	\$ 2,715	\$ 1,657			
Less:								
Interest expense	10	11	11	44	40			
Income before income taxes	\$ 758	\$ 629	\$ 530	\$ 2,671	\$ 1,617			

SELECTED FOOTNOTE DATA

(Unaudited)

NOTE 1. EQUITY, ROYALTY AND INTEREST INCOME FROM INVESTEES

Equity, royalty and interest income from investees included in our *Condensed Consolidated Statements of Income* for the interim reporting periods was as follows:

	Three month December 31,	September 25,	December 31,	For the year December 31,	December 31,
In millions	2011	2011	2010	2011	2010
Distribution Entities					
North American distributors	\$ 34	\$ 35	\$ 29	\$ 134	\$ 101
Komatsu Cummins Chile, Ltda	6	6	5	22	16
All other distributors	1	1	1	4	3
Manufacturing Entities					
Chongqing Cummins Engine Company,					
Ltd.	17	20	11	68	46
Dongfeng Cummins Engine Company,					
Ltd.	16	15	23	80	99
Cummins Westport, Inc.	6	4	3	14	10
Tata Cummins, Ltd.	5	2	3	14	14
Shanghai Fleetguard Filter Co., Ltd.	3	4	3	15	12
Komatsu manufacturing alliances	2	_	4	3	11
Valvoline Cummins, Ltd.	1	2	1	7	8
Beijing Foton Cummins Engine Co., Ltd.	(2)	(2)	(4)	(7)	(16)
Cummins MerCruiser Diesel Marine,		. ,	,	` ,	, ,
LLC	(3)	_	(2)	(3)	(3)
All other manufacturers	5	7	5	24	20
Cummins share of net income	91	94	82	375	321
Royalty and interest income	10	8	8	41	30
Equity, royalty and interest income from					
investees	\$ 101	\$ 102	\$ 90	\$ 416	\$ 351

NOTE 2. SALE OF BUSINESSES

In the second quarter of 2011, we sold certain assets and liabilities of our exhaust business which manufactures exhaust products and select components for emission systems for a variety of applications not core to our other product offerings. This business was historically included in our Components segment. The sales price was \$123 million. We recognized a gain on the sale of \$68 million (\$37 million after-tax), which included an allocation of goodwill of \$19 million. The gain was excluded from segment results as it was not considered by management in its evaluation of operating results for the year ended December 31, 2011.

Sales for this business were \$62 million, \$171 million and \$126 million in 2011 (through closing), 2010 and 2009, respectively. EBIT for this business was approximately \$9 million, \$22 million and \$11 million in 2011 (through closing), 2010 and 2009, respectively.

During the fourth quarter of 2011, we sold certain assets and liabilities of our light-duty filtration business which manufactures light-duty automotive and industrial filtration solutions. The sales price was \$90 million and included a note receivable from the buyer of approximately \$1 million. There are no earnouts or other contingencies associated with the sales price. We recognized a gain on the sale of \$53 million (\$33 million after-tax), which included an allocation of goodwill of \$6 million. The gain was excluded from segment results as it was not considered by management in its evaluation of operating results for the year ended December 31, 2011.

Sales for this business were \$64 million, \$74 million and \$54 million in 2011 (through closing), 2010 and 2009, respectively. EBIT for this business was approximately \$13 million, \$9 million and \$2 million in 2011 (through closing), 2010 and 2009, respectively.

We will enter into supply and other agreements with the operations that will represent ongoing involvement and as such, the results of these operations will not be presented as discontinued operations.

SELECTED FOOTNOTE DATA

(Unaudited)

NOTE 3. FLOOD INSURANCE RECOVERY

In June 2008, four of our sites in Southern Indiana, including our Technical Center, experienced extensive flood damage. In October 2011, we received \$40 million from our insurance carriers to settle all outstanding 2008 flood claims. As a result, we recognized a gain of approximately \$38 million (\$24 million after-tax), net of any remaining flood related expenses, in Other operating (expense) income, net in our *Condensed Consolidated Statements of Income*.

NOTE 4. INCOME TAXES

Our income tax rates are generally less than the 35 percent U.S. income tax rate primarily because of lower taxes on foreign earnings and research tax credits. Our effective tax rate for the fourth quarter and full year of 2011 was 24.5 percent and 27.1 percent, respectively. Excluding the gain on sale of certain assets and liabilities of the businesses and the flood insurance recovery, our effective tax rate for the fourth quarter and full year of 2011 was 22.8 percent and 26.3 percent, respectively. The tax rate for the fourth quarter and full year includes discrete tax items that total a benefit of \$56 million (\$0.29 per share) and \$85 million (\$0.44 per share), respectively. The discrete tax items for the fourth quarter and full year related primarily to additional research credits claimed on amended tax returns for prior periods, the settlement of uncertain tax positions and restructuring of our foreign operations. Our effective tax rate for the fourth quarter and full year of 2010 was 26.2 percent and 29.5 percent, respectively.

A reconciliation of the U.S. federal income tax rate of 35 percent to the actual effective tax rate is as follows:

	Years	ended	Decemb	oer 31,
	2011		2010	
U.S. federal statutory rate	35.0	%	35.0	%
State income tax, net of federal effect	0.4		0.6	
Research tax credits	(4.7)		(1.3)	
Differences in rates and taxability of foreign subsidiaries and joint ventures	(4.6)		(4.7)	
Other, net	1.0		(0.1)	

Effective tax rate 27.1 % 29.5 %

We expect our 2012 effective tax rate to be 29 percent excluding any discrete items that may arise. The research tax credit expired December 31, 2011 and has not yet been renewed by Congress. If the research credit is reinstated, we would anticipate the 2012 effective tax rate to be 28 percent.

NOTE 5. DEPRECIATION AND AMORTIZATION

Depreciation and amortization expense included in operating activities of the *Condensed Consolidated Statements of Cash Flows* for the years ended December 31, 2011 and 2010, was \$325 million and \$320 million, respectively.

FINANCIAL MEASURES THAT SUPPLEMENT GAAP

(Unaudited)

Net income and diluted earnings per share (EPS) attributable to Cummins Inc. excluding special items.

We believe this is a useful measure of our operating performance for the period presented as it illustrates our operating performance without regard to special items including the gains related to the sale of certain assets and liabilities of our exhaust business and our filtration business and flood insurance recovery. This measure is not in accordance with, or an alternative for, accounting principles generally accepted in the United States of America and may not be consistent with measures used by other companies. It should be considered supplemental data. The following table reconciles net income attributable to Cummins Inc. to net income attributable to Cummins Inc. excluding special items for the quarter and year ended December 31, 2011.

	Three mon	ths en	ded		Year ended	l	
	December 31, 2011				December 31, 201		
	Net Diluted				Net		Diluted
In millions	Income		EPS		Income		EPS
Net income attributable to Cummins Inc.	\$ 548	\$	2.86	\$	1,848	\$	9.55
Subtract:							
Gain on sale of businesses ⁽¹⁾	33		0.17		70		0.36
Flood insurance recovery ⁽¹⁾	24		0.13		24		0.12
Net income attributable to Cummins Inc.							
excluding							
special items	\$ 491	\$	2.56	\$	1,754	\$	9.07

⁽¹⁾ The gains have been excluded from operating results as they were not considered by management in its evaluation of performance for the year ended December 31, 2011.

FINANCIAL MEASURES THAT SUPPLEMENT GAAP

(Unaudited)

Earnings before interest expense, income taxes and noncontrolling interests.

We define EBIT as earnings or loss before interest expense, income tax expense and noncontrolling interests in income of consolidated subsidiaries (EBIT). We use EBIT to assess and measure the performance of our operating segments and also as a component in measuring our variable compensation programs. Below is a reconciliation of EBIT, a non-GAAP financial measure, to Net income attributable to Cummins Inc., for each of the applicable periods.

	Three month December 31,	s ended September 25,	December 31,	For the years December 31,	s ended December 31,
In millions	2011	2011	2010	2011	2010
Earnings before interest expense, income					
taxes and special items	\$ 677	\$ 640	\$ 541	\$ 2,556	\$ 1,657
special rems	Ψ 077	Ψ 010	Ψ 311	Ψ 2,000	Ψ 1,057
Earnings before interest expense, income taxes and					
special items as a percentage of net sales	13.8%	13.8%	13.1%	14.2%	12.5%
Add:					
Gain on sale of businesses	53	_	_	121	_
Flood insurance recovery	38	-	-	38	-
Esmines hefers interest surrous and income					
Earnings before interest expense and income taxes	\$ 768	\$ 640	\$ 541	\$ 2,715	\$ 1,657
uxes	Ψ 700	Ψ 010	Ψ 5-11	Ψ 2,713	Ψ 1,057
EBIT as a percentage of net sales	<i>15.6%</i>	13.8%	13.1%	<i>15.0%</i>	12.5%
Less:					
Interest expense	10	11	11	44	40
Income tax expense	186	157	139	725	477
Consolidated net income	572	472	391	1,946	1,140
Less:					
Net income attributable to noncontrolling					
interests	24	20	29	98	100
Net income attributable to Cummins Inc.	\$ 548	\$ 452	\$ 362	\$ 1,848	\$ 1,040

Net income attributable to Cummins Inc.

as a percentage of net sales 11.1% 9.8% 8.7% 10.2% 7.9%

BUSINESS UNIT SALES DATA

(Unaudited)

Engine segment net sales by market

2011					
In millions	Q1	Q2	Q3	Q4	YTD
Heavy-duty truck	\$ 485	\$ 693	\$ 748	\$ 865	\$ 2,791
Medium-duty truck and bus	474	608	640	598	2,320
Light-duty automotive and RV	296	310	271	299	1,176
Industrial	855	988	977	1,030	3,850
Stationary power	281	301	319	269	1,170
Total sales	\$ 2,391	\$ 2,900	\$ 2,955	\$ 3,061	\$ 11,307
2010					
In millions	Q1	Q2	Q3	Q4	YTD
Heavy-duty truck	\$ 252	\$ 340	\$ 395	\$ 516	\$ 1,503
Medium-duty truck and bus	217	352	430	436	1,435
Light-duty automotive and RV	207	296	239	280	1,022
Industrial	577	656	700	956	2,889
Stationary power	170	255	305	309	1,039
Total sales	\$ 1,423	\$ 1,899	\$ 2,069	\$ 2,497	\$ 7,888

Unit shipments by engine classification (including unit shipments to Power Generation)

2011					
Units	Q1	Q2	Q3	Q4	YTD
Mid-range	109,400	131,300	130,600	138,100	509,400
Heavy-duty	20,000	29,900	31,100	35,300	116,300
High horsepower	4,900	5,700	5,600	5,400	21,600
Total units	134,300	166,900	167,300	178,800	647,300
2010					
Units	Q1	Q2	Q3	Q4	YTD
Mid-range	69,100	90,500	93,500	115,800	368,900
Heavy-duty	8,700	14,500	15,200	22,800	61,200
High horsepower	3,400	4,800	4,900	5,400	18,500

Total units 81,200 109,800 113,600 144,000 448,600

BUSINESS UNIT SALES DATA

(Unaudited)

Component segment sales by business

2011 In millions	Q1	Q2	Q3	Q4	YTD
Emission solutions	\$ 273	\$ 311	\$ 306	\$ 372	\$ 1,262
Turbo technologies	297	314	298	314	1,223
Filtration	255	287	288	283	1,113
Fuel systems	99	120	123	123	465
Total sales	\$ 924	\$ 1,032	\$ 1,015	\$ 1,092	\$ 4,063
2010					
In millions	Q1	Q2	Q3	Q4	YTD
Emission solutions	\$ 137	\$ 170	\$ 192	\$ 251	\$ 750
Turbo technologies	200	226	239	283	948
Filtration	228	250	248	285	1,011
Fuel systems	65	83	90	99	337
Total sales	\$ 630	\$ 729	\$ 769	\$ 918	\$ 3,046

Power generation segment sales by business

2011					
In millions	Q1	Q2	Q3	Q4	YTD
Commercial products	\$ 505	\$ 568	\$ 579	\$ 578	\$ 2,230
Generator technologies	153	190	166	164	673
Commercial projects	55	58	46	84	243
Consumer	50	53	48	49	200
Power electronics	32	40	35	45	152
Total sales	\$ 795	\$ 909	\$ 874	\$ 920	\$ 3,498
2010					
In millions	Q1	Q2	Q3	Q4	YTD
Commercial products	\$ 307	\$ 436	\$ 519	\$ 569	\$ 1,831
Generator technologies	107	135	140	167	549
Commercial projects	33	57	49	83	222

Consumer	43	49	49	45	186
Power electronics	27	31	34	39	131
Total sales	\$ 517	\$ 708	\$ 791	\$ 903	\$ 2,919

Distribution segment sales by business

2011					
In millions	Q1	Q2	Q3	Q4	YTD
Parts and filtration	\$ 235	\$ 271	\$ 283	\$ 296	\$ 1,085
Power generation	145	195	191	191	722
Engines	140	186	171	206	703
Service	122	133	138	141	534
Total sales	\$ 642	\$ 785	\$ 783	\$ 834	\$ 3,044
2010					
In millions	Q1	Q2	Q3	Q4	YTD
Parts and filtration	\$ 193	\$ 221	\$ 220	\$ 248	\$ 882
Power generation	99	135	125	157	516
Engines	83	109	112	162	466
Service	101	111	116	132	460
Total sales	\$ 476	\$ 576	\$ 573	\$ 699	\$ 2,324