

## SUMMARY OF MATERIAL MODIFICATIONS

### Cummins Pension Plan

PLAN SPONSOR NUMBER: 35-0257090

PLAN ID NUMBER: 001

July 28, 2016

This Summary of Material Modifications (“Summary”) describes certain changes made to the Cummins Pension Plan (“Plan”). In the event of an inconsistency between the terms of this SMM and the terms of the official plan document, the terms of the official plan document shall control.

This Summary amends your Summary Plan Description (“SPD”) to insert the following after the first sentence of the section titled “Right to Sue under ERISA,” to read as follows:

The *Plan* provides that you generally have one year from the date of receiving a final decision by the *administrator* in which to commence such an action. No other legal or equitable action involving the *Plan* may be commenced later than two years after the time you know, or had reason to know, of the circumstances giving rise to the action.

To the extent not preempted by federal law, the *Plan* is governed by the laws of the State of Indiana, and any lawsuit or other action arising under the *Plan* exclusively shall be in the Southern District of Indiana.