

# Cis-regulatory Elements and Human Evolution

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## Abstract

Modification of gene regulation has long been considered an important force in human evolution, particularly through changes to *cis*-regulatory elements (CREs) that function in transcriptional regulation. For decades, however, the study of *cis*-regulatory evolution was severely limited by the available data. New data sets describing the locations of CREs and genetic variation within and between species have now made it possible to study CRE evolution much more directly on a genome-wide scale. Here, we review recent research on the evolution of CREs in humans based on large-scale genomic data sets. We consider inferences based on primate divergence, human polymorphism, and combinations of divergence and polymorphism. We then consider “new frontiers” in this field stemming from recent research on transcriptional regulation.

*Keywords:* transcriptional regulation, divergence, polymorphism, population genomics

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## 1 Introduction

2 The chimpanzee has long presented a conundrum for human geneticists. The orthologous proteins of  
3 humans and chimpanzees are more than 99.5% identical [1], yet the two species differ profoundly across  
4 a broad spectrum of apparently unrelated phenotypes. This evident paradox led King and Wilson to spec-  
5 ulate, famously, that differences in gene regulation, rather than protein-coding sequences, might primarily  
6 explain differences in physiology and behavior between humans and chimpanzees [2] (see also [3, 4]). This  
7 proposal—while bold—in a sense grew naturally out of Jacob and Monod’s research over a decade earlier  
8 establishing that the “program” for gene regulation was, in large part, written in DNA [5]. For, as Jacob  
9 and Monod themselves recognized [6], if regulatory programs were encoded in the genome, then they were  
10 subject to modification by mutation and natural selection, just as protein structure was.

11 These early conjectures about regulatory evolution were alluring, but for a long time they remained frus-  
12 tratingly abstract and unsubstantiated. In those days, few details could be provided about precisely which  
13 regulatory sequences changed, how much, and with what effect. During the ensuing decades, however,  
14 indirect evidence and anecdotal examples began to accumulate in support of the idea that *cis*-regulatory  
15 elements (CREs) associated with transcriptional regulation played a particularly central role in regulatory  
16 evolution [7–9]. (For the purposes of this article, CREs are regulatory sequences relatively near their target  
17 gene, typically no more than about a megabase from the transcription unit; we will focus on CREs involved  
18 in transcription.) Nevertheless, direct, large-scale support for the prominence of CREs in the evolution of  
19 form and function was lacking, and these claims remained controversial [10].

20 During the past few years, it has finally become possible to examine the evolution of CREs directly  
21 on a genome-wide scale, owing to the availability of genomic data describing both genetic variation and

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22 regulatory elements. This review will cover major developments over the past decade in the study of human  
23 CREs and their role in human evolution, with a particular focus on studies that have leveraged the large  
24 public data sets released over the past 2–3 years. Along the way, we will discuss various challenges that  
25 arise in the interpretation of these data sets. We will end with a brief survey of new developments in the  
26 study of transcriptional regulation that have the potential to enrich studies of human evolution.

## 27 **The Old Wave: Studies Based on Interspecies Divergence**

28 A central principle of molecular evolution holds that inferences about natural selection can be made by  
29 comparing rates of nucleotide substitution in sites of functional importance with those at sites expected to  
30 have little or no influence on fitness. This principle is based on the expectation that mutations will occur at  
31 approximately equal rates in both functional and nonfunctional sites, but natural selection will alter the rates  
32 at which derived alleles reach fixation in functional sites (Figure 1). This idea has been applied for decades  
33 to protein-coding sequences, where amino acid altering (nonsynonymous) and non-altering (synonymous)  
34 substitutions provide convenient classes to contrast [11–13].

35 The sequencing of the chimpanzee genome [1] enabled analogous methods to be applied genome-wide  
36 to putative CREs in hominids. For example, Keightley et al. examined sequences in upstream regions and  
37 first introns of genes and contrasted them with other intronic sequences assumed to be neutrally evolving  
38 [14]. They found that putative regulatory sequences showed almost no evidence of constraint in hominids,  
39 but were significantly constrained in mouse and rat. Finding no signs of positive selection, they argued that  
40 regulatory sequences in hominids had experienced “widespread degradation” due to their reduced effective  
41 population sizes (see also [1, 15, 16]). Soon afterward, Khaitovich et al. analyzed human-chimpanzee  
42 divergence patterns in promoter regions together with data on mRNA expression. Interestingly, they found  
43 that human-chimpanzee divergence in gene expression (normalized for intraspecies diversity) was much  
44 more pronounced in the testis than in the brain or several other tissues, possibly reflecting positive selection  
45 due to differences in mating strategies. They did find an excess of lineage-specific changes in expression of  
46 brain genes in human relative to chimpanzee.

47 Haygood and colleagues improved on the statistical methodology of previous studies by developing a  
48 phylogenetic likelihood ratio test analogous to those used for protein-coding sequences [17, 18] for lineage-  
49 specific elevations in substitution rates in promoter regions [19] (see Figure 1C). Based on alignments of  
50 the human, chimpanzee, and rhesus macaque genome sequences, Haygood et al. found evidence of positive  
51 selection acting on the promoters of at least 250 genes. High-scoring genes were significantly enriched  
52 for roles in neural development and function, nutrition, and metabolism, suggesting an important role for  
53 CREs in human cognitive, behavioral, and dietary adaptations. Another series of studies, based on similar  
54 statistical methods, tested conserved noncoding sequences for “accelerated” evolution in humans [20–23].

55 The first large-scale study of primate evolution to make use of newly emerging chromatin immunopre-  
56 cipitation and microarray (ChIP-chip) data for TF binding was carried out by Gaffney and colleagues [24].  
57 The authors collected ChIP-chip data from seven previously published studies, and then analyzed patterns  
58 of divergence at bound sites in the human, chimpanzee, and rhesus macaque genomes, comparing the reg-  
59 ulatory sequences with “control” regions. They also considered transcription factor binding sites (TFBSs)  
60 recorded in the TRANSFAC database. Using a simple divergence-based estimator, they predicted that about  
61 37% of mutations in TFBSs were deleterious, about half the fraction estimated for 0-fold nonsynonymous  
62 sites in coding sequences.

## 63 **The New Wave: Studies Based on Intraspecies Polymorphism**

64 Divergence-based analyses, while informative, are fundamentally limited by the relatively long evolu-  
65 tionary time periods associated with the accumulation of fixed differences between species. Irregularities  
66 in the evolutionary process during these periods—for example, due to changes in the locations or bound-  
67 aries of CREs, or changes in selective pressures—can weaken the signal of natural selection, causing its  
68 influence to be underestimated. This problem can be mitigated by working instead with data describing  
69 genetic variation within a single species [25]. Intraspecies polymorphism provides a window into much  
70 more recent evolutionary processes, on the time scale of genealogies of individuals rather than species phy-  
71 logenies (for humans, roughly 1M years or less), during which the evolutionary process is likely to be more  
72 homogeneous. It has been demonstrated at numerous individual loci that patterns of human polymorphism  
73 can reveal the influence of natural selection on CREs [26–29].

74 Several groups have recently used this approach in genome-wide analyses of CREs, taking advantage  
75 of the abundant high-quality human polymorphism data now available. Because polymorphisms are sparse  
76 along the genome, these groups have generally pooled data across many similar loci. For example, Mu  
77 and colleagues examined human polymorphism data from the 1000 Genomes Project in various classes of  
78 coding and noncoding elements, including ChIP-seq-supported TFBSs [30]. The authors found that TFBSs  
79 were significantly constrained, but less so than coding sequences. Negative selection dominated in their  
80 tests, with no sign of pervasive positive selection. They observed stronger constraint in bound than in  
81 unbound TFBSs, in TFBSs proximal to transcription start sites (TSSs) than in ones distal to TSSs, and in  
82 TFBSs with strong rather than weak ChIP-seq signals. The related work of Khurana et al. further showed  
83 that mutations that decrease the matching score of a motif were enriched for rare alleles compared to ones  
84 that did not [31]. However, Khurana and colleagues found evidence of contributions from positive selection  
85 as well as negative selection in several types of regulatory elements, including DNase-I hypersensitive sites  
86 (DHSs) and sequence-specific TFBSs.

87 In another analysis of 1000 Genomes data, Ward and Kellis examined mean SNP density, heterozy-  
88 gosity, and derived allele frequency in various noncoding regions identified as having “biochemical ac-  
89 tivity” by the Encyclopedia of DNA Elements (ENCODE) project [32]. They observed significant con-  
90 straint in putative regulatory regions identified by a wide variety of experimental assays. Interestingly,  
91 they found such evidence both for regions that were conserved across mammalian species and ones that  
92 were nonconserved, suggesting that a substantial fraction of functional noncoding elements reside outside  
93 of mammalian-conserved regions. In a similar study, Vernot et al. analyzed 53 high coverage individual  
94 genome sequences in more than 700 motifs within DHSs from 138 cell and tissue types, finding that many  
95 of these motifs were significantly constrained [33].

96 A separate line of research has considered patterns of nucleotide diversity in flanking sequences of  
97 noncoding regions conserved across mammals, which are likely enriched for CREs [34–37]. These studies  
98 have come to conflicting conclusions, with some arguing for a prominent role for hitchhiking (HH) from  
99 positively selected sites in regulatory elements [34, 37], and others maintaining that the observed patterns  
100 are more consistent with background selection (BGS) from negative selection [35, 36]. More work is needed  
101 to resolve this controversy over the relative roles of positive and negative selection in shaping CREs.

## 102 **A Fusion of the Old and the New: Joint Consideration of Divergence and Polymorphism**

103 Population genomic data, too, has limitations when used as the sole source of information about natural  
104 selection. As noted above, it can be difficult to distinguish between positive and negative selection based on

105 patterns of polymorphism alone (both forces reduce diversity; see Figure 1). Another major challenge is ac-  
106 counting for the effects of population bottlenecks, expansions, and other demographic processes, which can  
107 profoundly influence allele frequencies even in the absence of natural selection [38]. These problems can be  
108 alleviated by jointly considering intraspecies polymorphism and divergence from a neighboring species, an  
109 idea that has been used for decades in the analysis of protein-coding genes [39–41]. Classical approaches  
110 of this kind, such as the McDonald-Kreitman (MK) test [40], compare relative rates of polymorphism and  
111 divergence in putatively functional and nonfunctional (typically, nonsynonymous and synonymous) classes  
112 of sites. Under neutral drift, fixation should occur randomly for both classes of sites, causing the ratios of  
113 polymorphisms and fixed differences to be approximately equal. Departures from this neutral expectation  
114 provide information about natural selection (Figure 1).

115 An early attempt at a joint analysis of polymorphism and divergence of CREs, by Torgerson and col-  
116 leagues, examined conserved noncoding regions flanking more than 15,000 protein-coding genes, using  
117 polymorphism data from 15 African Americans and 20 European Americans as well as the chimpanzee  
118 genome [42]. The authors made use of an extension of the MK test that permits estimation of selection co-  
119 efficients [43], adapting it for use with noncoding sequences. Consistent with previous analyses, they found  
120 clear evidence of purifying selection in these regions. In addition, they found a significant excess of fixed  
121 differences relative to polymorphic sites, indicating positive selection on at least some CREs. In the study  
122 discussed above [24], Gaffney and colleagues also made limited use of polymorphism data, attempting to  
123 compute the fraction of fixed differences driven by positive selection ( $\alpha$ ) in CREs using a simple estimator  
124 based on the MK framework (see [41]). In contrast to Torgerson et al., they found no significant evidence  
125 of positive selection on CREs, but their power appeared to be quite weak.

126 Arbiza and colleagues attempted to address previous limitations in both models and data in a large-  
127 scale analysis of TFBSs based on CHIP-seq data from the ENCODE project [44]. Using a new probabilistic  
128 model and inference method called INSIGHT, the authors analyzed 1.4 million binding sites from 78 TFs,  
129 together with genetic variation data from the human, chimpanzee, orangutan, and rhesus macaque genome  
130 sequences, and 54 high-coverage human genome sequences. They found strong evidence of both positive  
131 and negative selection in TFBSs, with somewhat more positive selection, more weak negative selection,  
132 and less strong negative selection than in protein-coding genes. The authors estimated that, overall, there  
133 have been at least as many adaptive substitutions in CREs as in protein-coding genes since the human-  
134 chimpanzee divergence, consistent with King and Wilson’s conjecture almost forty years earlier.

135 Another interesting observation from this study was that regulatory regions exhibited a large excess  
136 of weakly deleterious segregating mutations compared with protein-coding genes, suggesting considerable  
137 genetic load associated with gene regulation. This finding is concordant with a recent analysis of genetic  
138 association data, which found that regulation-associated DNase-I hypersensitivity sites accounted for al-  
139 most 80% of the heritability for 11 common diseases [45]. Together, these findings suggest that a shift  
140 toward weaker negative selection in CREs may somewhat paradoxically result in an enrichment for heri-  
141 table disease-causing segregating variants, because these variants are less efficiently eliminated by natural  
142 selection than those in protein-coding genes.

## 143 **The Next Frontier**

144 Most studies of *cis*-regulatory evolution in humans, including all of those discussed so far, have as-  
145 sumed that binding sites maintain stable positions at orthologous genomic locations over evolutionary time,  
146 and that fitness effects can be measured by patterns of variation at individual nucleotide positions. In re-  
147 ality, however, natural selection acts on nucleotides in TFBSs only indirectly, through the effects of those  
148 nucleotides on transcriptional output. These effects, in turn, occur through a complex and incompletely

149 understood set of physical interactions involving multiple TFs and cofactors, the core transcriptional ma-  
150 chinery, the DNA sequence, the local chromatin, and the surrounding aqueous environment [46, 47] (see  
151 Figure 2). Recognizing the full complexity of transcriptional regulation will be essential for a complete  
152 understanding of its evolution in humans and other species.

### 153 *Biophysical Models of Binding-Site Evolution*

154 A pioneering series of papers by Lässig and colleagues began to explore this complex intersection  
155 of biophysics and evolution using models that treated the free energy of TF binding to DNA as a quan-  
156 titative phenotype, which served as the basis of an explicit fitness landscape. Evolutionary trajectories  
157 over this landscape were then considered [48–51] (see also [52]). Despite assuming an additive model  
158 for nucleotide-specific binding energies, the authors obtained highly nonlinear fitness landscapes, reflecting  
159 epistasis between regulatory nucleotides. In both prokaryotes and yeast, they found evidence for widespread  
160 compensatory mutations and relatively frequent gain and loss of binding sites.

161 Following these observations, Moses developed statistical tests for natural selection in terms of changes  
162 in predicted binding affinity resulting from single nucleotide changes under standard position-weight-matrix  
163 (PWM) models of binding [53]. Another study showed that evolutionary events tended to preserve binding  
164 affinity in *Drosophila* [54]. More recently, Bullaughey studied the evolution of enhancers by combining a  
165 thermodynamic sequence-to-expression model [55] with a Gaussian expression-to-fitness model [56]. His  
166 simulation study suggested strong interdependencies between nucleotides and an important role for neutral  
167 substitutions in changes to the functional organization of enhancers. Finally, in an analysis of well character-  
168 ized *cis*-regulatory modules in *Drosophila*, He et al. found bulk evidence for positive selection contributing  
169 to both gain and loss of binding sites and for purifying selection maintaining existing TFBSs [57].

170 Another recent series of papers has focused on the development of improved biophysical models of TF  
171 binding to DNA, generally without consideration of evolution. A full review of this literature is outside the  
172 scope of the present article, but examples include models that consider combinatorial interactions among  
173 TFs [58–62], nucleosome positioning and/or chromatin accessibility [63–66], and the three-dimensional  
174 structure of DNA binding sites [67] (see [47] for a related review). More work is needed to consider  
175 the evolutionary implications of biophysical models of this type, but it seems likely that inferences of the  
176 distribution of fitness effects of regulatory mutations in humans will change significantly when richer, more  
177 realistic models of binding site structure and function are considered.

### 178 *Improved Characterizations of Binding Affinity*

179 Even the sophisticated biophysical models discussed in the previous section have tended to maintain the  
180 assumption of additive contributions of individual nucleotides to TF binding affinity, corresponding to an  
181 assumption of site independence in statistical motif models [68, 69]. This assumption appears to be adequate  
182 for most TFs, but numerous violations have been observed [70–72]. Nevertheless, statistical methods that  
183 attempt to recover the full correlation structure of TF binding preferences from sequences [71, 73, 74] have  
184 not been widely adopted.

185 These challenges have led to intense interest in harnessing high-throughput genomic technologies to  
186 produce direct measurements of binding affinity for all possible binding sites and large numbers of TFs.  
187 Widely variable strategies have been employed, including microwell-based assays [75, 76], protein-binding  
188 microarrays [67, 77–79], mechanically induced trapping of molecular interactions (MITOMI) [80], high-  
189 throughput systematic evolution of ligands by exponential enrichment (SELEX), [81–83], and, most re-  
190 cently, adaptation of the Illumina sequencing platform to directly measure binding affinities of proteins to  
191 DNA [84] (see [85] for a review as of 2010). In addition to finding further evidence of positional inter-  
192 dependence [79, 83, 84, 86, 87], studies based on these techniques have revealed, among other features,



193 unexpected dimeric modes of binding [82], numerous TFs that recognize multiple sequence motifs [79],  
194 and important influences of sequences flanking core binding sites owing to their effects on DNA shape  
195 [67, 83]. However, the rich models of binding affinity enabled by these powerful technologies have yet to  
196 be integrated into evolutionary models.

### 197 *Evolutionary Turnover of Cis-Regulatory Elements*

198 As alluded to in the previous section, there is strong evidence that individual CREs in many species,  
199 including humans, are gained and lost over time, a phenomenon known generally as “turnover” [88–90].  
200 Turnover of CREs has been extensively studied over the past decade [56, 57, 91–98] but, overall, it remains  
201 poorly understood. For example, it is still unclear how frequently turnover occurs overall, how much it  
202 varies across species, TFs, and genomic contexts, how commonly gains and losses are compensatory, and  
203 how all of these processes impact inferences of selection. Recent studies that make use of high-throughput  
204 functional genomic techniques applied uniformly across species [99, 100] have helped to shed additional  
205 light on turnover of CREs, but these studies also have limitations. For example, it is not clear how many of  
206 the assayed binding events directly influence gene expression, what role false negatives and false positives  
207 play in apparent differences, and in some cases sample sizes have been insufficient to distinguish within-  
208 species variation from between-species divergence. In our view, it will be essential to develop improved  
209 methods for integrating evolutionary and biophysical models with large-scale functional genomic data, to  
210 develop a more complete understanding of the complex processes by which CREs evolve.

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## Figure Legends

**Figure 1:** (A) Frequency as a function of time for hypothetical mutations experiencing neutral drift (gray), weak negative (green), strong negative (blue), or positive (orange) selection. The plot assumes a new mutation occurs in a single individual in the population at time 0. Neutral drift typically causes mutations to be lost (lower gray fork) but occasionally drives them to fixation (upper gray fork). Negative selection essentially guarantees eventual loss, but if it is sufficiently weak (green plot), mutations may segregate at low frequencies for some time. Positive selection (orange plot) causes mutations to reach fixation at higher rates than neutral drift. Notice that the time until fixation or loss is substantially reduced for mutations under strong selection (positive or negative), implying that they are unlikely to be observed in a polymorphic state. (B) Steady-state numbers of invariant sites, low frequency (derived allele) polymorphisms, high frequency polymorphisms, and fixed differences under neutral drift, expressed as hypothetical percentages of nucleotide sites. These represent equilibrium frequencies for the process depicted in panel (A) for a given divergence time, assuming a steady flow of new mutations. Positive selection (orange arrows) increases fixed differences, reduces invariant sites, and reduces polymorphisms. Strong negative selection (blue arrows) reduces fixed differences and polymorphisms and increases invariant sites. Weak negative selection (green arrows) is similar but allows some low frequency polymorphisms to remain. (C) Phylogenies with branch lengths proportional to rates at which fixed differences occur along lineages. Positive or negative selection can be identified by significant increases or decreases, respectively, in the fixation rates relative to the neutral expectation. Different likelihood ratio tests can identify lineage-specific or recurrent/homogeneous selective pressures. (D) Scatter plot of polymorphism vs. divergence rates under neutral drift, generated by simulations based on parameters reflecting real human populations [44] (black points). Colored points show hypothetical positions of sequences under positive (orange), strong negative (blue), and weak negative (green) selection. Notice that positive and negative selection are distinguishable by their joint effects on polymorphism and divergence rates, but not by polymorphism rates alone. (E)  $2 \times 2$  contingency table used for McDonald-Kreitman (MK) test for selection on a *cis*-regulatory element (CRE). The test evaluates the probability of the observed data under the null hypothesis that the relative polymorphism and divergence counts are independent of the labels “neutral” and “CRE”. The classes of sites are chosen to be similar to one another to avoid potential biases from mutation rate variation and demography. Rejection of the null hypothesis therefore implies a departure from the neutral expectation of equal fixation rates. Note the connections with the visual representations used in panels (B) and (D). The MK test can be thought of as comparing the relative heights of the first bar and the next two bars combined in panel (B), for neutral vs. CRE sites (see arrows). It can also be thought of as testing for extreme departures from a diagonal line in panel (D) running through the neutral points from bottom left to top right. In this case, the counts reflect an excess of fixed differences in the CRE, suggesting positive selection. Notice that strong negative selection is not a problem for the MK test, because it reduces the effective mutation rate, but weak negative selection can bias the test by partially canceling the effects of positive selection.

**Figure 2:** Some of the many factors that may influence the evolution of *cis*-regulatory elements.

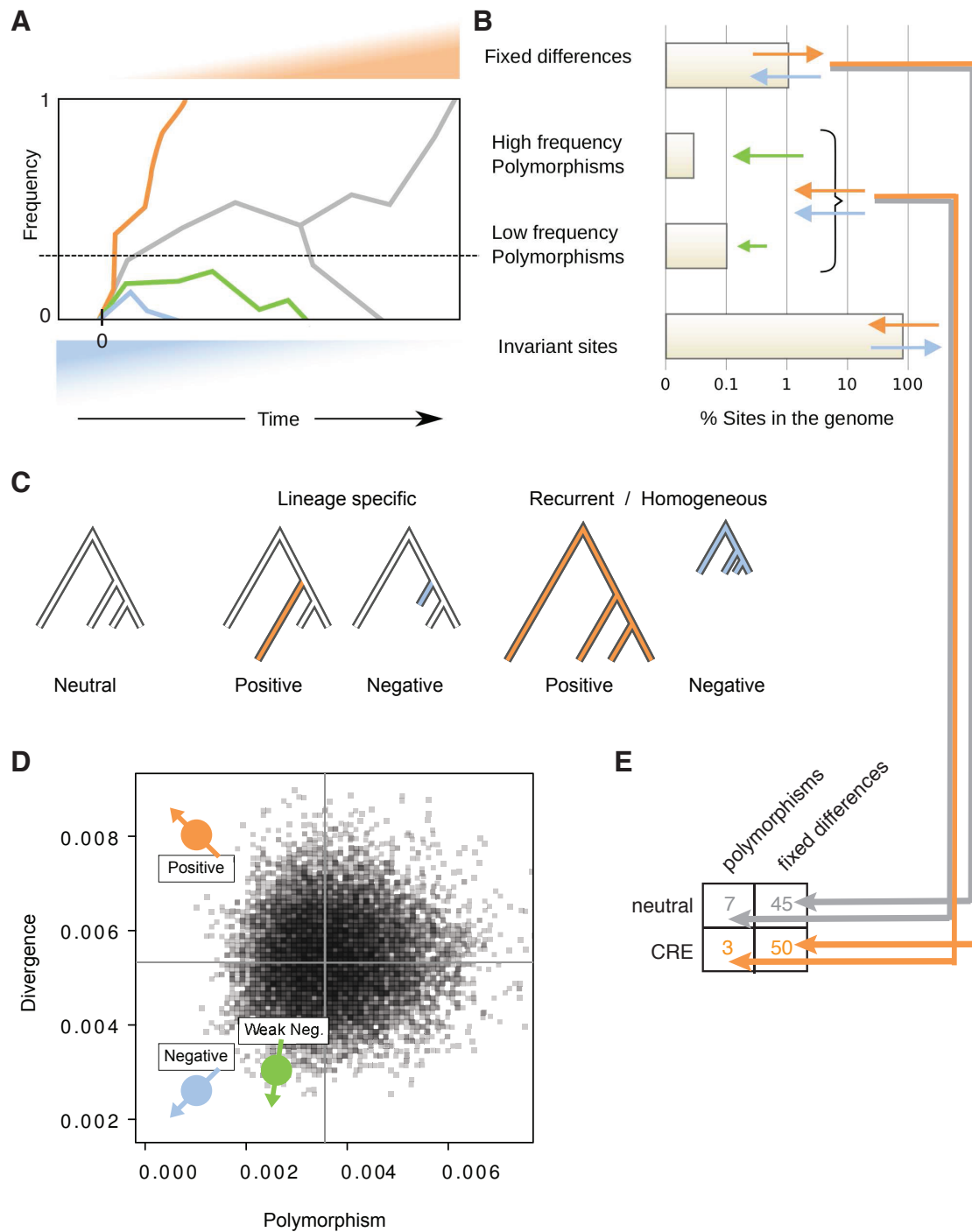


Figure 1:

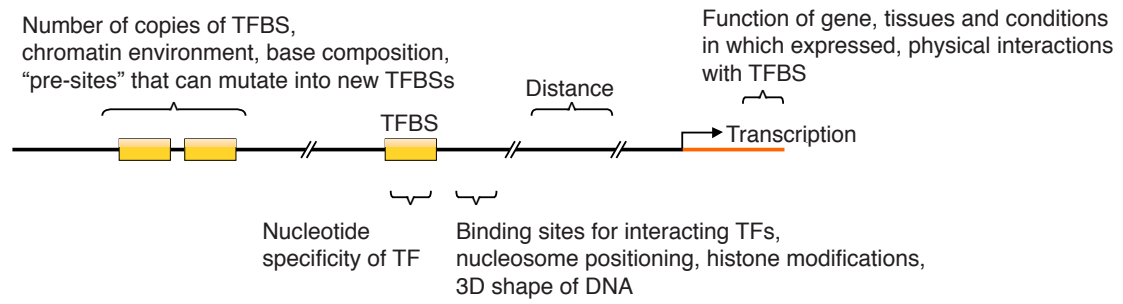


Figure 2: